

Prison Rape Elimination Act (PREA) Audit Report Adult Prisons & Jails

Interim Final

Date of Report 11/6/17

Auditor Information

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Date of Facility Visit: 05/24/17 & 05/25/17

Agency Information

Name of Agency:

Armstrong County Jail

Governing Authority or Parent Agency (If Applicable):

Armstrong County Jail Prison Board

Physical Address: 171 Staley's Court Road

City, State, Zip: Kittanning, PA 16201

Mailing Address: Same

City, State, Zip: Same

Telephone: 724-545-9222

Is Agency accredited by any organization? Yes No

The Agency Is:

Military

Private for Profit

Private not for Profit

Municipal

County

State

Federal

Agency mission: Our mission is to serve the public by maintaining a safe and secure facility in which to detain those individuals lawfully committed to our custody while respecting the rights of the crime victims. To provide those detained, opportunities to improve and prepare themselves to become productive members of society

Agency Website with PREA Information: <http://co.armstrong.pa.us/departments/public-services/jail>

Agency Chief Executive Officer

Name: Phillip Shaffer

Title: Warden

Email: pmshaffer@co.armstrong.pa.us

Telephone: 724-545-9222

Agency-Wide PREA Coordinator

Name: Michael Woodside

Title: Lieutenant

Email: mlwoodside@co.armstrong.pa.us	Telephone: 724-545-9222
PREA Coordinator Reports to: Warden	Number of Compliance Managers who report to the PREA Coordinator 0

Facility Information

Name of Facility: Armstrong County Jail			
Physical Address: 171 Staley's Court Road Kittanning, PA 16201			
Mailing Address (if different than above): same			
Telephone Number: 724-545-9222			
The Facility Is:	<input type="checkbox"/> Military	<input type="checkbox"/> Private for profit	<input type="checkbox"/> Private not for profit
<input type="checkbox"/> Municipal	<input checked="" type="checkbox"/> County	<input type="checkbox"/> State	<input type="checkbox"/> Federal
Facility Type:	<input checked="" type="checkbox"/> Jail		<input type="checkbox"/> Prison

Facility Mission: Our mission is to serve the public by maintaining a safe and secure facility in which to detain those individuals lawfully committed to our custody while respecting the rights of the crime victims. To provide those detained, opportunities to improve and prepare themselves to become productive members of society

Facility Website with PREA Information: <http://co.armstrong.pa.us/departments/public-services/jail>

Warden/Superintendent

Name: Phillip Shaffer	Title: Warden
Email: pmshaffer@co.armstrong.pa.us	Telephone: 724-545-9222 ext: 5000

Facility PREA Compliance Manager

Name: Michael Woodside	Title: Lieutenant
Email: mlwoodside@co.armstrong.pa.us	Telephone: 724-545-9222 ext: 5009

Facility Health Service Administrator

Name: Destiny F. Salsgiver	Title: Nurse
Email: dfsalsgiver@co.armstrong.pa.us	Telephone: 724-545-9222 ext: 5015

Facility Characteristics

Designated Facility Capacity: 158	Current Population of Facility: 116
Number of inmates admitted to facility during the past 12 months	1134
Number of inmates admitted to facility during the past 12 months whose length of stay in the facility was for 30 days or more:	440

Number of inmates admitted to facility during the past 12 months whose length of stay in the facility was for 72 hours or more:			858
Number of inmates on date of audit who were admitted to facility prior to August 20, 2012:			0
Age Range of Population:	Youthful Inmates Under 18: 0	Adults: 18-55	
Are youthful inmates housed separately from the adult population?		<input type="checkbox"/> Yes	<input type="checkbox"/> No <input checked="" type="checkbox"/> NA
Number of youthful inmates housed at this facility during the past 12 months:			0
Average length of stay or time under supervision:			41.73 days
Facility security level/inmate custody levels:			1-5
Number of staff currently employed by the facility who may have contact with inmates:			62
Number of staff hired by the facility during the past 12 months who may have contact with inmates:			15
Number of contracts in the past 12 months for services with contractors who may have contact with inmates:			0
Physical Plant			
Number of Buildings: 1		Number of Single Cell Housing Units: 0	
Number of Multiple Occupancy Cell Housing Units:		10	
Number of Open Bay/Dorm Housing Units:		0	
Number of Segregation Cells (Administrative and Disciplinary):		9	
Description of any video or electronic monitoring technology (including any relevant information about where cameras are placed, where the control room is, retention of video, etc.):			
The facility has cameras throughout that monitor the activities of the inmates. The cameras are viewed from Central Control which is the main access to the facility.			
Medical			
Type of Medical Facility:		Exam room and pharmacy	
Forensic sexual assault medical exams are conducted at:		Armstrong County Memorial Hospital	
Other			
Number of volunteers and individual contractors, who may have contact with inmates, currently authorized to enter the facility:			117
Number of investigators the agency currently employs to investigate allegations of sexual abuse:			3

Audit Findings

Audit Narrative

I utilized an overall methodology to make my determination of compliance with the standards. This included a complete review of all policies and documentation provided to me prior to the onsite audit. The documentation was then corroborated through visual inspection of the facility, as well as interviews with staff and inmates. I was able to determine that the facility has the policies in place to address all standards, and has put these policies into daily practice. In the standard-by-standard discussion I have specifically identified the policies and documentation utilized during this process, these policies and documentation are listed verbatim in italic type. I have also listed any visual evidence, as well as interviews that aided in making my decisions. The following is a description of the actions taken during each phase of the audit process.

Pre-Audit:

The facility was posted on March 27, 2017, the postings were confirmed through visual inspection and interviews at the facility. The pre-audit questionnaire and a list of required documentation was forwarded to the facility. I received all of this information back 14 days prior to the onsite audit allowing ample time for documentation review.

Onsite Audit:

On May 24th 2017 I arrived at the facility to conduct the onsite portion of the audit. At this time I was met by the administration of the facility which included the Warden, Deputy Wardens and the PREA Coordinator. A facility tour was conducted, all areas of the facility were made available to me during the tour. I also had the opportunity to interact with both staff and inmates, as well as observe the interactions between staff and inmates. During the tour I made note of camera placement within the facility and monitoring equipment. During the tour I verified that all necessary PREA information was posted, as well as the audit notification. I also verified the intake process, and all required information was being relayed to the inmates upon intake. I obtained a copy of all of this information, as well as a copy of the initial screening which was used during the inmate interviews.

During the onsite portion I interviewed ten inmates, these inmates represented individuals housed in all areas of the facility. The inmates interviewed represented the vulnerable categories of inmate who identify as gay or bisexual, and those who are suffering from a disability. These vulnerable categories were the only ones represented at the time of the audit.

I also interviewed seventeen staff members, these interviews represented all categories of staff. A volunteer was also interviewed during the onsite audit.

I reviewed personnel files, inmate files, shift rosters, log books and training logs to ensure that all required documentation was being maintained.

All of my interactions and documentation review at the facility are further discussed in detail in the standard-by-standard discussion.

Post Audit:

Upon returning from the onsite audit I took all information from the pre-audit documentation review, the onsite audit and the specific standard and triangulated all information to ensure adherence to every standard.

Facility Characteristics

The Armstrong County Jail is located at 171 Staley's Courts Road Kittanning Pa 16201, the immediate area surrounding the facility is rural.

The facility is accessed through a locked door that is controlled from central control. The lobby is directly inside, this area is under direct watch by the central control officers. The administrative offices are located off of this area.

The facility houses both male and female adult offenders, the facility contracts for the housing of juvenile offenders.

The facility has a main corridor that is able to be viewed by the officers working in Central Control, this allows for constant supervision of inmates moving throughout the facility.

The housing units are located at opposite ends of the facility, the housing units are under direct supervision from a tower. These towers have the capabilities of viewing the housing unit, as well as observing the video surveillance.

The showers on the housing units have doors that provided the inmates privacy.

The cells are constructed in a manner that allows the inmates the ability to utilize the toilet and change without being seen. An issue was identified in several cells, this is further discussed in the standards.

The facility has medical staff and a doctor sees inmates at the facility on Monday, Wednesday and Friday.

All meals at the facility are provided by an outside contractor, who delivers three meals per day.

Summary of Audit Findings

Number of Standards Exceeded: 2

Standard 115.11: Zero tolerance of sexual abuse and sexual harassment; PREA coordinator
Standard 115.34: Specialized training: Investigations

Number of Standards Met: 43

Standard 115.12: Contracting with other entities for the confinement of inmates
Standard 115.13: Supervision and monitoring
Standard 115.14: Youthful inmates
Standard 115.15: Limits to cross-gender viewing and searches
Standard 115.16: Inmates with disabilities and inmates who are limited English proficient
Standard 115.17: Hiring and promotion decisions
Standard 115.18: Upgrades to facilities and technologies
Standard 115.21: Evidence protocol and forensic medical examinations
Standard 115.22: Policies to ensure referrals of allegations for investigations
Standard 115.31: Employee training
Standard 115.32: Volunteer and contractor training
Standard 115.33: Inmate education
Standard 115.35: Specialized training: Medical and mental health care
Standard 115.41: Screening for risk of victimization and abusiveness
Standard 115.42: Use of screening information
Standard 115.43: Protective Custody
Standard 115.51: Inmate reporting
Standard 115.52: Exhaustion of administrative remedies
Standard 115.53: Inmate access to outside confidential support services
Standard 115.54: Third-party reporting
Standard 115.61: Staff and agency reporting duties
Standard 115.62: Agency protection duties
Standard 115.63: Reporting to other confinement facilities
Standard 115.64: Staff first responder duties
Standard 115.65: Coordinated response
Standard 115.66: Preservation of ability to protect inmates from contact with abusers
Standard 115.67: Agency protection against retaliation
Standard 115.68: Post-allegation protective custody
Standard 115.71: Criminal and administrative agency investigations
Standard 115.72: Evidentiary standard for administrative investigations
Standard 115.73: Reporting to inmates
Standard 115.76: Disciplinary sanctions for staff
Standard 115.77: Corrective action for contractors and volunteers
Standard 115.78: Disciplinary sanctions for inmates
Standard 115.81: Medical and mental health screenings; history of sexual abuse
Standard 115.82: Access to emergency medical and mental health services
Standard 115.83: Ongoing medical and mental health care for sexual abuse victims and abusers
Standard 115.86: Sexual abuse incident reviews
Standard 115.87: Data collection
Standard 115.88: Data review for corrective action
Standard 115.89: Data storage, publication, and destruction
Standard 115.401: Frequency and scope of audits
Standard 115.403: Audit contents and findings

Number of Standards Not Met: 0

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Summary of Corrective Action (if any)

During the onsite portion of the audit I found that the 5 year Criminal History checks were not being conducted. A corrective action plan was put into place to correct the deficiency. All applicable criminal history checks have been completed, this was verified by reviewing the NCIC logs and comparing it to the facility staff roster.

PREVENTION PLANNING

Standard 115.11: Zero tolerance of sexual abuse and sexual harassment; PREA coordinator

All Yes/No Questions Must Be Answered by The Auditor to Complete the Report

115.11 (a)

- Does the agency have a written policy mandating zero tolerance toward all forms of sexual abuse and sexual harassment? Yes No
- Does the written policy outline the agency's approach to preventing, detecting, and responding to sexual abuse and sexual harassment? Yes No

115.11 (b)

- Has the agency employed or designated an agency-wide PREA Coordinator? Yes No
- Is the PREA Coordinator position in the upper-level of the agency hierarchy? Yes No
- Does the PREA Coordinator have sufficient time and authority to develop, implement, and oversee agency efforts to comply with the PREA standards in all of its facilities?
 Yes No

115.11 (c)

- If this agency operates more than one facility, has each facility designated a PREA compliance manager? (N/A if agency operates only one facility.) Yes No NA
- Does the PREA compliance manager have sufficient time and authority to coordinate the

facility's efforts to comply with the PREA standards? (N/A if agency operates only one facility.)
 Yes No NA

Auditor Overall Compliance Determination

- Exceeds Standard** (*Substantially exceeds requirement of standards*)
- Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- Does Not Meet Standard** (*Requires Corrective Action*)

EVIDENCE OF COMPLIANCE:

The Armstrong County Jail has established a policy that provides an environment free of sexual abuse or assault, sexual misconduct and sexual harassment from co-workers, other inmates, contractors, volunteers or any person visiting the facility.

Armstrong County Jail Policy and Procedure Policy# 3-19 Section Medical Subject: Prison Rape Elimination Act (PREA) became effective on July 11, 2013. The policy states the following:

POLICY: It is the policy of the Armstrong County Jail to provide staff and inmates with an environment free of sexual abuse or assault, sexual misconduct and sexual harassment from co-workers, other inmates, contractors, volunteers or any person visiting the facility. Armstrong County Jail administers a program of education, prevention, detection, response, investigation and tracking of all reported acts of sexual assault. Punishment for the perpetrator is enforced. The program provides treatment for the victim and the perpetrator and includes ongoing support for the victim. In addition to a program regarding offender-on-offender sexual assault, the agency also provides education to offenders and staff regarding staff sexual misconduct and harassment. During the admission process, all offenders are provided information about sexual assault, to include: prevention/intervention, self-protection, reporting sexual assault, treatment and counseling.

For the purpose of this procedure, the term "offender" will apply to anyone in the authority, custody or care of Armstrong County Jail. The terms "staff" and "employee" includes all Armstrong County Jail employees, contract personnel, contract employers, volunteers, official visitors or other agency representatives.

I. ZERO TOLERANCE

Armstrong County Jail maintains a zero tolerance for offender-on-offender sexual activity, including but not limited to sexual abuse or assault, and staff sexual misconduct and sexual harassment toward offenders. Every allegation of sexual assault/misconduct and harassment is thoroughly investigated. The prohibited conduct identified below applies to all employees, volunteers and contract staff of Armstrong County Jail. Sexual conduct between staff and offenders is prohibited and subject to administrative disciplinary sanctions and referred for prosecution.

I reviewed the Policy in its entirety, as well as questioned staff members on its content and applicable sections to their specific duties within the facility. The staff understood the policy and its practical application to the daily operation of the facility.

The policy is comprehensive and mandates zero tolerance toward all forms of sexual abuse and sexual harassment and outlines the agency's approach to preventing, detecting, and responding to such conduct. The policy further defines all prohibited acts.

Lt. Michael Woodside is designated as the facilities PREA Coordinator. The duties of PREA Coordinator are in addition to his normal duties, during his interview he related that he has enough time to conduct his duties, and feels that once the audit process is completed the maintenance of keeping the facility in compliance will be easier.

Standard 115.12: Contracting with other entities for the confinement of inmates

All Yes/No Questions Must Be Answered by the Auditor to Complete the Report

115.12 (a)

- If this agency is public and it contracts for the confinement of its inmates with private agencies or other entities including other government agencies, has the agency included the entity's obligation to comply with the PREA standards in any new contract or contract renewal signed on or after August 20, 2012? (N/A if the agency does not contract with private agencies or other entities for the confinement of inmates.) Yes No NA

115.12 (b)

- Does any new contract or contract renewal signed on or after August 20, 2012 provide for agency contract monitoring to ensure that the contractor is complying with the PREA standards? (N/A if the agency does not contract with private agencies or other entities for the confinement of inmates OR the response to 115.12(a)-1 is "NO".) Yes No NA

Auditor Overall Compliance Determination

- Exceeds Standard** (*Substantially exceeds requirement of standards*)
- Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- Does Not Meet Standard** (*Requires Corrective Action*)

EVIDENCE OF COMPLIANCE:

The facility has an agreement with Cambria County Prison to house inmates if a separation is needed. Cambria County is in compliance with the Prison Rape Elimination Act and has been audited.

The facility has a purchase of service agreement with Westmoreland County to house juvenile offenders at the Westmoreland County Regional Youth Services Center, this facility is also in compliance with the Prison Rape Elimination Act.

Standard 115.13: Supervision and monitoring

All Yes/No Questions Must Be Answered by the Auditor to Complete the Report

115.13 (a)

- Does the agency ensure that each facility has developed a staffing plan that provides for adequate levels of staffing and, where applicable, video monitoring, to protect inmates against sexual abuse? Yes No
- Does the agency ensure that each facility has documented a staffing plan that provides for adequate levels of staffing and, where applicable, video monitoring, to protect inmates against sexual abuse? Yes No
- Does the agency ensure that each facility's staffing plan takes into consideration the generally accepted detention and correctional practices in calculating adequate staffing levels and determining the need for video monitoring? Yes No
- Does the agency ensure that each facility's staffing plan takes into consideration any judicial findings of inadequacy in calculating adequate staffing levels and determining the need for video monitoring? Yes No
- Does the agency ensure that each facility's staffing plan takes into consideration any findings of inadequacy from Federal investigative agencies in calculating adequate staffing levels and determining the need for video monitoring? Yes No
- Does the agency ensure that each facility's staffing plan takes into consideration any findings of inadequacy from internal or external oversight bodies in calculating adequate staffing levels and determining the need for video monitoring? Yes No
- Does the agency ensure that each facility's staffing plan takes into consideration all components of the facility's physical plant (including "blind-spots" or areas where staff or inmates may be isolated) in calculating adequate staffing levels and determining the need for video monitoring? Yes No
- Does the agency ensure that each facility's staffing plan takes into consideration the composition of the inmate population in calculating adequate staffing levels and determining the need for video monitoring? Yes No
- Does the agency ensure that each facility's staffing plan takes into consideration the number and placement of supervisory staff in calculating adequate staffing levels and determining the need for video monitoring? Yes No

- Does the agency ensure that each facility's staffing plan takes into consideration the institution programs occurring on a particular shift in calculating adequate staffing levels and determining the need for video monitoring? Yes No NA
- Does the agency ensure that each facility's staffing plan takes into consideration any applicable State or local laws, regulations, or standards in calculating adequate staffing levels and determining the need for video monitoring? Yes No
- Does the agency ensure that each facility's staffing plan takes into consideration the prevalence of substantiated and unsubstantiated incidents of sexual abuse in calculating adequate staffing levels and determining the need for video monitoring? Yes No
- Does the agency ensure that each facility's staffing plan takes into consideration any other relevant factors in calculating adequate staffing levels and determining the need for video monitoring? Yes No

115.13 (b)

- In circumstances where the staffing plan is not complied with, does the facility document and justify all deviations from the plan? (N/A if no deviations from staffing plan.)
 Yes No NA

115.13 (c)

- In the past 12 months, has the facility, in consultation with the agency PREA Coordinator, assessed, determined, and documented whether adjustments are needed to: The staffing plan established pursuant to paragraph (a) of this section? Yes No
- In the past 12 months, has the facility, in consultation with the agency PREA Coordinator, assessed, determined, and documented whether adjustments are needed to: The facility's deployment of video monitoring systems and other monitoring technologies? Yes No
- In the past 12 months, has the facility, in consultation with the agency PREA Coordinator, assessed, determined, and documented whether adjustments are needed to: The resources the facility has available to commit to ensure adherence to the staffing plan? Yes No

115.13 (d)

- Has the facility/agency implemented a policy and practice of having intermediate-level or higher-level supervisors conduct and document unannounced rounds to identify and deter staff sexual abuse and sexual harassment? Yes No
- Is this policy and practice implemented for night shifts as well as day shifts? Yes No
- Does the facility/agency have a policy prohibiting staff from alerting other staff members that these supervisory rounds are occurring, unless such announcement is related to the legitimate operational functions of the facility? Yes No

Auditor Overall Compliance Determination

- Exceeds Standard** (*Substantially exceeds requirement of standards*)
- Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- Does Not Meet Standard** (*Requires Corrective Action*)

Armstrong County Jail Policy and Procedure Policy # 2-59 Section Administration Subject: Staffing and Supervision of Inmates establishes the staffing analysis for the facility. The policy reads as follows:

PURPOSE: TO PROVIDE FOR THE PROPER STAFFING OF THE JAIL AS REQUIRED TO MAINTAIN CARE, CUSTODY AND CONTROL OF THE INMATE POPULATION ON A 24 HOUR BASIS.

POLICY: IT IS THE POLICY OF THE ARMSTRONG COUNTY JAIL TO MAINTAIN STAFFING LEVELS TO ENSURE THE SAFE AND EFFICIENT OPERATION OF THE JAIL IN ACCORDANCE WITH PREVAILING REGULATIONS.

1. The Warden has conducted a staffing analysis identifying the staffing allotment and post assignments necessary to safely operate the prison, including calculation of relief factors for each classification of staff that is assigned to relieve posts or positions. Documentation of said analysis shall be maintained by the Warden and be available for inspection by the prison board or the Department of Corrections. The staffing analysis shall be reviewed on an annual basis by the Warden, and said review shall be documented.

The facility has developed a staffing plan to provide adequate levels of staffing, and where applicable, video monitoring, to protect inmates against sexual abuse and sexual harassment.

During the facility tour I reviewed the log books that were utilized to document the unannounced rounds by the supervisors. During the interviews with the Shift Lieutenants they related they conduct the unannounced rounds on every shift. I also confirmed the rounds were being conducted during both the staff and inmate interviews.

During the interviews we discussed the staffing of the facility. Any incident of misconduct is taken into consideration with staffing, these include the facility layout, composition of the inmate population, any incidents of sexual abuse or sexual harassment, and any other relevant factors were utilized. The administration constantly monitors the issues in the facility and will make immediate decisions on staffing issues.

I reviewed the staffing policy and the staffing plan, I found them both to be complete.

The staffing plan has not been deviated from during the last 12 months.

Standard 115.14: Youthful inmates

All Yes/No Questions Must Be Answered by the Auditor to Complete the Report

115.14 (a)

- Does the facility place all youthful inmates in housing units that separate them from sight, sound, and physical contact with any adult inmates through use of a shared dayroom or other common space, shower area, or sleeping quarters? (N/A if facility does not have youthful inmates [inmates <18 years old].) Yes No NA

115.14 (b)

- In areas outside of housing units does the agency maintain sight and sound separation between youthful inmates and adult inmates? (N/A if facility does not have youthful inmates [inmates <18 years old].) Yes No NA
- In areas outside of housing units does the agency provide direct staff supervision when youthful inmates and adult inmates have sight, sound, or physical contact? (N/A if facility does not have youthful inmates [inmates <18 years old].) Yes No NA

115.14 (c)

- Does the agency make its best efforts to avoid placing youthful inmates in isolation to comply with this provision? (N/A if facility does not have youthful inmates [inmates <18 years old].) Yes No NA
- Does the agency, while complying with this provision, allow youthful inmates daily large-muscle exercise and legally required special education services, except in exigent circumstances? (N/A if facility does not have youthful inmates [inmates <18 years old].) Yes No NA
- Do youthful inmates have access to other programs and work opportunities to the extent possible? (N/A if facility does not have youthful inmates [inmates <18 years old].) Yes No NA

Auditor Overall Compliance Determination

- Exceeds Standard** (*Substantially exceeds requirement of standards*)
- Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- Does Not Meet Standard** (*Requires Corrective Action*)

EVIDENCE OF COMPLIANCE:

The facility does not house juvenile offenders, the facility has a purchase of service agreement with Westmoreland County to house juvenile offenders at the Westmoreland County Regional Youth Services Center.

If needed the facility has the capacity to house a juvenile offender in the intake area, where they would be under constant watch, until the offender could be transported from the facility.

Standard 115.15: Limits to cross-gender viewing and searches

All Yes/No Questions Must Be Answered by the Auditor to Complete the Report

115.15 (a)

- Does the facility always refrain from conducting any cross-gender strip or cross-gender visual body cavity searches, except in exigent circumstances or by medical practitioners?
 Yes No

115.15 (b)

- Does the facility always refrain from conducting cross-gender pat-down searches of female inmates in non-exigent circumstances? (N/A here for facilities with less than 50 inmates before August 20,2017.) Yes No NA
- Does the facility always refrain from restricting female inmates' access to regularly available programming or other out-of-cell opportunities in order to comply with this provision? (N/A here for facilities with less than 50 inmates before August 20, 2017.) Yes No NA

115.15 (c)

- Does the facility document all cross-gender strip searches and cross-gender visual body cavity searches? Yes No
- Does the facility document all cross-gender pat-down searches of female inmates?
 Yes No

115.15 (d)

- Does the facility implement a policy and practice that enables inmates to shower, perform bodily functions, and change clothing without nonmedical staff of the opposite gender viewing their breasts, buttocks, or genitalia, except in exigent circumstances or when such viewing is incidental to routine cell checks? Yes No
- Does the facility require staff of the opposite gender to announce their presence when entering an inmate housing unit? Yes No

115.15 (e)

- Does the facility always refrain from searching or physically examining transgender or intersex inmates for the sole purpose of determining the inmate's genital status? Yes No
- If an inmate's genital status is unknown, does the facility determine genital status during conversations with the inmate, by reviewing medical records, or, if necessary, by learning that information as part of a broader medical examination conducted in private by a medical practitioner? Yes No

115.15 (f)

- Does the facility/agency train security staff in how to conduct cross-gender pat down searches in a professional and respectful manner, and in the least intrusive manner possible, consistent with security needs? Yes No
- Does the facility/agency train security staff in how to conduct searches of transgender and intersex inmates in a professional and respectful manner, and in the least intrusive manner possible, consistent with security needs? Yes No

Auditor Overall Compliance Determination

- Exceeds Standard** (*Substantially exceeds requirement of standards*)
- Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- Does Not Meet Standard** (*Requires Corrective Action*)

EVIDENCE OF COMPLIANCE:

Armstrong County Jail Policy and Procedure Policy# 3-19 Section Medical Subject: Prison Rape Elimination Act (PREA) became effective on July 11, 2013. The policy states the following:

The determining factor in where a transgender or intersex offender is housed will be genitalia. If a transgender woman has completed the surgical process and the penis has been removed, she will be housed in a female facility. If a transgender man has completed the surgical process of penile construction, he will be housed in a male facility. In cases of intersex offenders in which there is genital ambiguity, the decision of gender will be made through consultation with a medical doctor who will consider both the physical attributes as well as the chosen gender identity of the offender. In making housing assignments, the primary concern will be the safety of the transgender and intersex offender to diminish the possibility of sexual or physical assault and possible harassment by other offenders. Under no circumstances will a transgender or intersex offender be strip searched solely to determine gender.

The policy further states:

It is the responsibility of the shift supervisor to ensure that a minimum of one (1) security check of all interior areas of the jail be conducted each shift to determine staff and inmate concerns and faulty or unsafe conditions. The security check shall be unannounced, staff are prohibited from informing other staff members of the security check. Any staff found violating this policy will be subjected to discipline.

Cross gender searches are prohibited unless exigent circumstances exist. If a cross gender search is conducted the shift supervisor shall be immediately notified, an incident report will be prepared documenting the exigent circumstances.

All staff shall announce their presence when entering a housing unit of the opposite gender. A general announcement at the beginning of each shift shall be made informing the inmates of the gender of the staff working the housing units.

Staff has received training on how to conduct a pat down search of transgender inmates, this was confirmed during the staff interviews and review of the training records.

The facility does not search or physically examine a transgender or intersex inmate for the sole purpose of determining the inmate's genital status. All staff interviewed understood that gender should be determined through conversations with the inmate, by reviewing medical records, or, if necessary, by learning that information as part of a broader medical examination conducted in private by a medical practitioner. Medical staff are on duty twenty four hours a day and would be able to make a determination of gender. This was confirmed with the medical staff during interviews.

The facility has not housed a transgender nor intersex resident within the last 12 months.

During the staff interviews they confirmed that they do not conduct cross gender strip searches and do not conduct cross gender pat down searches of any gender.

The facility has ample female and male staff to allow both male and female officers to be on all shifts. I had the opportunity to review several schedules from different periods and confirmed this.

During the staff and inmate interviews I discussed the policy of cross gender staff announcing their presence on the housing units, both staff and inmates confirmed this occurs. I also observed this practice during the facility tour.

The cells are constructed in a manner that provides privacy to the inmate while toileting and changing. The showers have swinging doors that provides privacy to the inmates while showering.

During the inmate interviews I discussed the level of comfort during the times of toileting, changing and showering. All of the interviewees replied that they are allowed privacy during these times, no one thought there was any issues of cross gender viewing.

Standard 115.16: Inmates with disabilities and inmates who are limited English proficient

All Yes/No Questions Must Be Answered by the Auditor to Complete the Report

115.16 (a)

- Does the agency take appropriate steps to ensure that inmates with disabilities have an equal opportunity to participate in or benefit from all aspects of the agency's efforts to prevent, detect, and respond to sexual abuse and sexual harassment, including: inmates who are deaf or hard of hearing? Yes No
- Does the agency take appropriate steps to ensure that inmates with disabilities have an equal opportunity to participate in or benefit from all aspects of the agency's efforts to prevent, detect, and respond to sexual abuse and sexual harassment, including: inmates who are blind or have low vision? Yes No
- Does the agency take appropriate steps to ensure that inmates with disabilities have an equal opportunity to participate in or benefit from all aspects of the agency's efforts to prevent, detect, and respond to sexual abuse and sexual harassment, including: inmates who have intellectual disabilities? Yes No
- Does the agency take appropriate steps to ensure that inmates with disabilities have an equal opportunity to participate in or benefit from all aspects of the agency's efforts to prevent, detect, and respond to sexual abuse and sexual harassment, including: inmates who have psychiatric disabilities? Yes No
- Does the agency take appropriate steps to ensure that inmates with disabilities have an equal opportunity to participate in or benefit from all aspects of the agency's efforts to prevent, detect, and respond to sexual abuse and sexual harassment, including: inmates who have speech disabilities? Yes No
- Does the agency take appropriate steps to ensure that inmates with disabilities have an equal opportunity to participate in or benefit from all aspects of the agency's efforts to prevent, detect, and respond to sexual abuse and sexual harassment, including: Other (if "other," please explain in overall determination notes)? Yes No
- Do such steps include, when necessary, ensuring effective communication with inmates who are deaf or hard of hearing? Yes No
- Do such steps include, when necessary, providing access to interpreters who can interpret effectively, accurately, and impartially, both receptively and expressively, using any necessary specialized vocabulary? Yes No
- Does the agency ensure that written materials are provided in formats or through methods that ensure effective communication with inmates with disabilities including inmates who: Have intellectual disabilities? Yes No

- Does the agency ensure that written materials are provided in formats or through methods that ensure effective communication with inmates with disabilities including inmates who: Have limited reading skills? Yes No
- Does the agency ensure that written materials are provided in formats or through methods that ensure effective communication with inmates with disabilities including inmates who: Are blind or have low vision? Yes No

115.16 (b)

- Does the agency take reasonable steps to ensure meaningful access to all aspects of the agency's efforts to prevent, detect, and respond to sexual abuse and sexual harassment to inmates who are limited English proficient? Yes No
- Do these steps include providing interpreters who can interpret effectively, accurately, and impartially, both receptively and expressively, using any necessary specialized vocabulary? Yes No

115.16 (c)

- Does the agency always refrain from relying on inmate interpreters, inmate readers, or other types of inmate assistance except in limited circumstances where an extended delay in obtaining an effective interpreter could compromise the inmate's safety, the performance of first-response duties under §115.64, or the investigation of the inmate's allegations? Yes No

Auditor Overall Compliance Determination

- Exceeds Standard** (*Substantially exceeds requirement of standards*)
- Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- Does Not Meet Standard** (*Requires Corrective Action*)

EVIDENCE OC COMPLIANCE:

Armstrong County Jail Policy and Procedure Policy# 1-79 Section Security Subject: Inmate orientation addresses inmates with disabilities and limited English speaking. The policy states the following:

POLICY: IT IS THE POLICY OF THE ARMSTRONG COUNTY JAIL TO ORIENT INMATES AT THE JAIL IN ACCORDANCE WITH APPLICABLE REGULATIONS.

1. *Within 14 days of admission to the Armstrong County Jail, every inmate shall be oriented as to:*

- *the jail's rules of conduct;*
- *consequences for violation of the rules of conduct;*
- *mail, visiting and telephone procedures;*
- *access to medical care;*
- *fees, charges or co-payments imposed on inmates;*

- the jail grievance process;
- available treatment programs;
- available work programs;
- PREA Act of 2003

2. Orientation for inmates who can read the English or Spanish languages at an appropriate level will be accomplished by delivering to those inmates a copy of the (English or Spanish) Armstrong County Jail Inmate Handbook.

3. Orientation for illiterate English speaking inmates will be accomplished by having the inmate view the orientation video developed by the jail.

4. Orientation for non-English or non-Spanish speaking and illiterate Spanish speaking inmates will be accomplished by contacting Language Line Services at 1-800-367-9559 (providing the jail's 6-digit Client ID number and Access Code.) and request to use an interpreter for the language spoken by the inmate. The interpreter shall inform the inmate of the information contained in the orientation video developed by the jail.

5. The Counseling Supervisor shall ensure that each inmate is oriented in a timely manner, and that the date and type of orientation for each respective inmate is documented in the inmate's file.

The facility has procedures in place to deal with inmates with disabilities and who are limited English speaking. They have never had an incident where they would utilize another inmate for interpretation, they would utilize staff or a language line. During the classification of the inmates they identify any issues concerning disabilities and take the appropriate actions needed to protect the inmate. The facility is equipped to ensure meaningful access to all aspects of the agency's efforts to prevent, detect, and respond to sexual abuse and sexual harassment to inmates who are limited English proficient, including steps to provide interpreters who can interpret effectively, accurately, and impartially, both receptively and expressively, using any necessary specialized vocabulary.

Compliance in this area was determined by reviewing policies and procedures of the facility. During the random staff interviews I determined that they all understood the availability of interpreters, and further understood the importance of not utilizing inmates for interpretation during any incident.

At the time of the audit no disabled or non-English speaking inmates were being housed.

The facility provides all printed material in both English and Spanish, all posters throughout the facility are in both languages also. I was able to view the posters during the facility tour.

The staff do not utilize inmate interpreters they would utilize Language Line Services for any interpretation needed.

Standard 115.17: Hiring and promotion decisions

All Yes/No Questions Must Be Answered by the Auditor to Complete the Report

115.17 (a)

- Does the agency prohibit the hiring or promotion of anyone who may have contact with inmates who has engaged in sexual abuse in a prison, jail, lockup, community confinement facility, juvenile facility, or other institution (as defined in 42 U.S.C. 1997)? Yes No

- Does the agency prohibit the hiring or promotion of anyone who may have contact with inmates who has been convicted of engaging or attempting to engage in sexual activity in the community facilitated by force, overt or implied threats of force, or coercion, or if the victim did not consent or was unable to consent or refuse? Yes No
- Does the agency prohibit the hiring or promotion of anyone who may have contact with inmates who has been civilly or administratively adjudicated to have engaged in the activity described in the question immediately above? Yes No
- Does the agency prohibit the enlistment of services of any contractor who may have contact with inmates who has engaged in sexual abuse in a prison, jail, lockup, community confinement facility, juvenile facility, or other institution (as defined in 42 U.S.C. 1997)? Yes No
- Does the agency prohibit the enlistment of services of any contractor who may have contact with inmates who has been convicted of engaging or attempting to engage in sexual activity in the community facilitated by force, overt or implied threats of force, or coercion, or if the victim did not consent or was unable to consent or refuse? Yes No
- Does the agency prohibit the enlistment of services of any contractor who may have contact with inmates who has been civilly or administratively adjudicated to have engaged in the activity described in the question immediately above? Yes No

115.17 (b)

- Does the agency consider any incidents of sexual harassment in determining whether to hire or promote anyone, or to enlist the services of any contractor, who may have contact with inmates? Yes No

115.17 (c)

- Before hiring new employees, who may have contact with inmates, does the agency: perform a criminal background records check? Yes No
- Before hiring new employees, who may have contact with inmates, does the agency: consistent with Federal, State, and local law, make its best efforts to contact all prior institutional employers for information on substantiated allegations of sexual abuse or any resignation during a pending investigation of an allegation of sexual abuse? Yes No

115.17 (d)

- Does the agency perform a criminal background records check before enlisting the services of any contractor who may have contact with inmates? Yes No

115.17 (e)

- Does the agency either conduct criminal background records checks at least every five years of current employees and contractors who may have contact with inmates or have in place a system for otherwise capturing such information for current employees? Yes No

115.17 (f)

- Does the agency ask all applicants and employees who may have contact with inmates directly about previous misconduct described in paragraph (a) of this section in written applications or interviews for hiring or promotions? Yes No
- Does the agency ask all applicants and employees who may have contact with inmates directly about previous misconduct described in paragraph (a) of this section in any interviews or written self-evaluations conducted as part of reviews of current employees? Yes No
- Does the agency impose upon employees a continuing affirmative duty to disclose any such misconduct? Yes No

115.17 (g)

- Does the agency consider material omissions regarding such misconduct, or the provision of materially false information, grounds for termination? Yes No

115.17 (h)

- Does the agency provide information on substantiated allegations of sexual abuse or sexual harassment involving a former employee upon receiving a request from an institutional employer for whom such employee has applied to work? (N/A if providing information on substantiated allegations of sexual abuse or sexual harassment involving a former employee is prohibited by law.) Yes No NA

Auditor Overall Compliance Determination

- Exceeds Standard** (*Substantially exceeds requirement of standards*)
- Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- Does Not Meet Standard** (*Requires Corrective Action*)

EVIDENCE OF COMPLIANCE:

The facility does not hire or promote anyone who may have contact with inmates, and does not enlist the services of any contractor who may have contact with inmates, who

Has engaged in sexual abuse in a prison, jail, lockup, community confinement facility, juvenile facility, or other institution

Has been convicted of engaging or attempting to engage in sexual activity in the community facilitated by force, overt or implied threats of force, or coercion, or if the victim did not consent or was unable to consent or refuse; or has been civilly or administratively adjudicated to have engaged in the activity.

The facility conducts criminal history checks on all employees and contractors upon hire. Moving forward the facility is going to utilize JNET Live to provided real time criminal history checks.

This was confirmed through conversations with both the PREA Coordinator and the Warden.

Standard 115.18: Upgrades to facilities and technologies

All Yes/No Questions Must Be Answered by the Auditor to Complete the Report

115.18 (a)

- If the agency designed or acquired any new facility or planned any substantial expansion or modification of existing facilities, did the agency consider the effect of the design, acquisition, expansion, or modification upon the agency's ability to protect inmates from sexual abuse? (N/A if agency/facility has not acquired a new facility or made a substantial expansion to existing facilities since August 20, 2012, or since the last PREA audit, whichever is later.)
 Yes No NA

115.18 (b)

- If the agency installed or updated a video monitoring system, electronic surveillance system, or other monitoring technology, did the agency consider how such technology may enhance the agency's ability to protect inmates from sexual abuse? (N/A if agency/facility has not installed or updated a video monitoring system, electronic surveillance system, or other monitoring technology since August 20, 2012, or since the last PREA audit, whichever is later.)
 Yes No NA

Auditor Overall Compliance Determination

- Exceeds Standard** (*Substantially exceeds requirement of standards*)
- Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- Does Not Meet Standard** (*Requires Corrective Action*)

EVIDENCE OF COMPLIANCE:

During the facility tour I observed the placement of cameras, I found them to more than adequately cover the areas to prevent any criminal act or misconduct from occurring. The facility also has staff constantly moving about the facility.

No upgrades to the facility or technology are planned.

RESPONSIVE PLANNING

Standard 115.21: Evidence protocol and forensic medical examinations

All Yes/No Questions Must Be Answered by the Auditor to Complete the Report

115.21 (a)

- If the agency is responsible for investigating allegations of sexual abuse, does the agency follow a uniform evidence protocol that maximizes the potential for obtaining usable physical evidence for administrative proceedings and criminal prosecutions? (N/A if the agency/facility is not responsible for conducting any form of criminal OR administrative sexual abuse investigations.)
 Yes No NA

115.21 (b)

- Is this protocol developmentally appropriate for youth where applicable? (N/A if the agency/facility is not responsible for conducting any form of criminal OR administrative sexual abuse investigations.) Yes No NA
- Is this protocol, as appropriate, adapted from or otherwise based on the most recent edition of the U.S. Department of Justice's Office on Violence Against Women publication, "A National Protocol for Sexual Assault Medical Forensic Examinations, Adults/Adolescents," or similarly comprehensive and authoritative protocols developed after 2011? (N/A if the agency/facility is not responsible for conducting any form of criminal OR administrative sexual abuse investigations.) Yes No NA

115.21 (c)

- Does the agency offer all victims of sexual abuse access to forensic medical examinations, whether on-site or at an outside facility, without financial cost, where evidentiarily or medically appropriate? Yes No
- Are such examinations performed by Sexual Assault Forensic Examiners (SAFEs) or Sexual Assault Nurse Examiners (SANEs) where possible? Yes No
- If SAFEs or SANEs cannot be made available, is the examination performed by other qualified medical practitioners (they must have been specifically trained to conduct sexual assault forensic exams)? Yes No
- Has the agency documented its efforts to provide SAFEs or SANEs? Yes No

115.21 (d)

- Does the agency attempt to make available to the victim a victim advocate from a rape crisis center? Yes No
- If a rape crisis center is not available to provide victim advocate services, does the agency make available to provide these services a qualified staff member from a community-based organization, or a qualified agency staff member? Yes No
- Has the agency documented its efforts to secure services from rape crisis centers? Yes No

115.21 (e)

- As requested by the victim, does the victim advocate, qualified agency staff member, or qualified community-based organization staff member accompany and support the victim through the forensic medical examination process and investigatory interviews? Yes No
- As requested by the victim, does this person provide emotional support, crisis intervention, information, and referrals? Yes No

115.21 (f)

- If the agency itself is not responsible for investigating allegations of sexual abuse, has the agency requested that the investigating entity follow the requirements of paragraphs (a) through (e) of this section? (N/A if the agency/facility is responsible for conducting criminal AND administrative sexual abuse investigations.) Yes No NA

115.21 (g)

- Auditor is not required to audit this provision.

115.21 (h)

- If the agency uses a qualified agency staff member or a qualified community-based staff member for the purposes of this section, has the individual been screened for appropriateness to serve in this role and received education concerning sexual assault and forensic examination issues in general? [N/A if agency attempts to make a victim advocate from a rape crisis center available to victims per 115.21(d) above.] Yes No NA

Auditor Overall Compliance Determination

- Exceeds Standard** (*Substantially exceeds requirement of standards*)
- Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- Does Not Meet Standard** (*Requires Corrective Action*)

EVIDENCE OF COMPLIANCE:

Armstrong County Jail Policy and Procedure Policy# 3-19 Section Medical Subject: Prison Rape Elimination Act (PREA) became effective on July 11, 2013. The policy addresses evidence protocol and forensic examinations. The policy states the following:

If the alleged sexual assault is reported or discovered within 24 hours of the incident, in addition to the provisions in this section, the following steps are to be taken:

(a) Physical Evidence – Victim

In preparation for transporting the alleged victim to the hospital's emergency room the offender is provided and instructed to undress over a clean sheet to collect any potential forensic evidence that may fall from the person. The sheet along with the offender's clothing is collected as evidence and placed in a paper bag with an appropriate chain of evidence form attached.

(b) Forensic evidence collected by the hospital emergency staff is gathered and delivered to Investigating Authority through appropriate protocol(s). When the alleged victim returns from off-site emergency medical care, treatment, safety and security is used to determine placement.

(c) Physical Evidence – Offender Suspect

(1) Immediately upon being identified as the alleged suspect the offender will be instructed to undress over a clean sheet to collect any potential forensic evidence that may fall from the person. The sheet along with the alleged suspect's clothing is collected as evidence and placed in a paper bag with an appropriate chain of evidence form attached.

(2) Thereafter, the alleged suspect under investigation is held in segregation until the investigation is completed, unless other circumstances require transfer. During the course of the investigation, the alleged victim and alleged suspect remain separated.

(d) Physical Evidence - Crime Scene

(1) Based upon the amount of time passed since the alleged incident and other factors, a determination is made to assess whether there is a possibility of evidence still existing at the crime scene. If determined that a possibility of evidence still exists, and if possible, the crime scene is secured and any potential evidence remains for the investigator's examination.

(2) If the crime scene cannot be secured, the crime scene is photographed and/or video-taped and if any evidence exists, placed in a paper bag with a chain of evidence form attached.

(3) If a potential crime scene is established, limited access is authorized and a log maintained.

The facility transports all victims to ACMH Hospital for forensic examinations, this hospital is equipped with SAFE nurses. They have also entered into an MOU with Helping All Victims in Need (HAVIN) for victim advocacy.

The Pennsylvania State Police conduct the criminal investigations at the facility. The investigators and Forensic Services Unit members are highly trained in identifying and collecting evidence in sexual assault investigations. The Pennsylvania State Police has policies and procedures in place that exceed this standard.

During the staff interviews I confirmed that the staff understands the process of evidence collection. I reviewed the training provided to the staff and found the subject of evidence identification and collection were covered.

I was able to review all investigations conducted by the facility, although these services were not utilized, they were offered to every victim.

Standard 115.22: Policies to ensure referrals of allegations for investigations

All Yes/No Questions Must Be Answered by the Auditor to Complete the Report

115.22 (a)

- Does the agency ensure an administrative or criminal investigation is completed for all allegations of sexual abuse? Yes No
- Does the agency ensure an administrative or criminal investigation is completed for all allegations of sexual harassment? Yes No

115.22 (b)

- Does the agency have a policy and practice in place to ensure that allegations of sexual abuse or sexual harassment are referred for investigation to an agency with the legal authority to conduct criminal investigations, unless the allegation does not involve potentially criminal behavior? Yes No
- Has the agency published such policy on its website or, if it does not have one, made the policy available through other means? Yes No
- Does the agency document all such referrals? Yes No

115.22 (c)

- If a separate entity is responsible for conducting criminal investigations, does such publication describe the responsibilities of both the agency and the investigating entity? [N/A if the agency/facility is responsible for criminal investigations. See 115.21(a).] Yes No NA

115.22 (d)

- Auditor is not required to audit this provision.

115.22 (e)

- Auditor is not required to audit this provision.

Auditor Overall Compliance Determination

- Exceeds Standard** (*Substantially exceeds requirement of standards*)
- Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- Does Not Meet Standard** (*Requires Corrective Action*)

EVIDENCE OF COMPLIANCE:

Armstrong County Jail Policy and Procedure Policy# 3-19 Section Medical Subject: Prison Rape Elimination Act (PREA) became effective on July 11, 2013. The policy addresses referrals of allegations for investigation. The policy states the following:

V. RESPONSIBILITIES

A. JAIL STAFF

- 1. Staff must be able to recognize the signs of sexual assault and understand their responsibility in the detection, prevention, and reporting of an alleged sexual assault.*
- 2. Staff must help prevent sexual assaults by acting in the following manner during the performance of their duties.*
 - (a) Know and enforce rules regarding sexual conduct of inmates;*
 - (b) Maintain professionalism at all times. Do not laugh or joke about homosexual activity or sexual assault; and*
 - (c) Treat any allegation of sexual assault seriously and immediately follow appropriate reporting procedures.*
- 3. Staff must recognize that sexual assaults can occur in virtually any area in a correctional facility, especially those that are not directly supervised at all times. Sound correctional practice includes sight and sound supervision of inmates, conducting frequent, random area and cell checks, providing direct staff supervision whenever possible, and maintaining an open line of communication with inmates.*
- 4. Staff must recognize that first time, youthful, elderly, mentally ill, developmentally disabled, homosexual, or inmates who have committed sex offenses are at an increased risk for vulnerability.*
- 5. Staff must be aware of possible warning signs that might indicate that an inmate has been sexually assaulted or is in fear of being sexually assaulted. Warning signs include, but are not limited to: isolation, depression, lashing out at others, refusing to shower, suicidal thoughts or actions, seeking protective custody, and refusing to leave segregation or classification.*
- 6. Staff must be aware of potential sexually abusive behavior. The sexual abuser may be known by the general population. Characteristics or warning signs may include a prior history of committing sex offenses, use of strong arm tactics (extortion), associating or pairing up with inmates who meet the profile of a potential victim, exhibiting voyeuristic/exhibitionistic behavior, and demonstrated inability to control anger.*

During the interviews with the staff they all understood their obligation to report any incident or suspected incident of sexual assault or sexual harassment. They also understood their civil liability as well as the specific Pennsylvania Crimes Codes Sections that apply to these incidents.

I reviewed all of the investigations conducted at the facility, all of these were reported to the proper authority for investigation, and were reported immediately by the staff members.

All of the investigations are being investigated by the proper authorities.

TRAINING AND EDUCATION

Standard 115.31: Employee training

All Yes/No Questions Must Be Answered by the Auditor to Complete the Report

115.31 (a)

- Does the agency train all employees who may have contact with inmates on its zero-tolerance policy for sexual abuse and sexual harassment? Yes No
- Does the agency train all employees who may have contact with inmates on how to fulfill their responsibilities under agency sexual abuse and sexual harassment prevention, detection, reporting, and response policies and procedures? Yes No
- Does the agency train all employees who may have contact with inmates on inmates' right to be free from sexual abuse and sexual harassment Yes No
- Does the agency train all employees who may have contact with inmates on the right of inmates and employees to be free from retaliation for reporting sexual abuse and sexual harassment? Yes No
- Does the agency train all employees who may have contact with inmates on the dynamics of sexual abuse and sexual harassment in confinement? Yes No
- Does the agency train all employees who may have contact with inmates on the common reactions of sexual abuse and sexual harassment victims? Yes No
- Does the agency train all employees who may have contact with inmates on how to detect and respond to signs of threatened and actual sexual abuse? Yes No
- Does the agency train all employees who may have contact with inmates on how to avoid inappropriate relationships with inmates? Yes No
- Does the agency train all employees who may have contact with inmates on how to communicate effectively and professionally with inmates, including lesbian, gay, bisexual, transgender, intersex, or gender nonconforming inmates? Yes No

- Does the agency train all employees who may have contact with inmates on how to comply with relevant laws related to mandatory reporting of sexual abuse to outside authorities?
 Yes No

115.31 (b)

- Is such training tailored to the gender of the inmates at the employee's facility? Yes No
- Have employees received additional training if reassigned from a facility that houses only male inmates to a facility that houses only female inmates, or vice versa? Yes No

115.31 (c)

- Have all current employees who may have contact with inmates received such training?
 Yes No
- Does the agency provide each employee with refresher training every two years to ensure that all employees know the agency's current sexual abuse and sexual harassment policies and procedures? Yes No
- In years in which an employee does not receive refresher training, does the agency provide refresher information on current sexual abuse and sexual harassment policies? Yes No

115.31 (d)

- Does the agency document, through employee signature or electronic verification, that employees understand the training they have received? Yes No

Auditor Overall Compliance Determination

- Exceeds Standard** (*Substantially exceeds requirement of standards*)
- Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- Does Not Meet Standard** (*Requires Corrective Action*)

EVIDENCE OF COMPLIANCE:

Armstrong County Jail Policy and Procedure Policy# 3-19 Section Medical Subject: Prison Rape Elimination Act (PREA) became effective on July 11, 2013. The policy addresses employee education. The policy states the following:

VI. *EDUCATION*

A. *JAIL STAFF*

1. *All employees receive instruction relating to the prevention, detection, response, reporting and investigation of sexual assault.*
2. *All employees and volunteers with offender contact will receive annual instruction relating to the prevention, detection, response, reporting and investigation of sexual assault at the facility.*
3. *Contract staff whose primary duties include teaching, training or supervising offenders, receive instruction to emphasize the importance of preventing sexual assault towards offenders. This instruction promotes awareness of the serious impact of sexual victimization within the correctional and community setting.*
4. *Training is provided for employees who may respond, as part of their job duties, to reported incidents of sexual assault. This training may include, but is not limited to: crime scene management, elimination of contamination, evidence collection protocol and crisis intervention.*
5. *Mental health staff will ensure the facility has access to the services of a mental health professional that has a scope of practice, training and/or experience in trauma counseling.*
6. *The booklet "Sexual Misconduct and Harassment" (copy attached) will be issued to all staff. Employees will acknowledge receipt of the handbook. This documentation will be retained in the employee personnel file.*

I reviewed the training materials used to train the employees and found them to be complete.

All employees interviewed related that they have received the initial training as well as yearly update training on PREA. All of the employees related that the training was extremely informative.

I reviewed all of the training logs and verified that all of the employees at the facility have been trained.

Standard 115.32: Volunteer and contractor training

All Yes/No Questions Must Be Answered by the Auditor to Complete the Report

115.32 (a)

- Has the agency ensured that all volunteers and contractors who have contact with inmates have been trained on their responsibilities under the agency's sexual abuse and sexual harassment prevention, detection, and response policies and procedures? Yes No

115.32 (b)

- Have all volunteers and contractors who have contact with inmates been notified of the agency's zero-tolerance policy regarding sexual abuse and sexual harassment and informed how to report such incidents (the level and type of training provided to volunteers and contractors shall be based on the services they provide and level of contact they have with inmates)? Yes No

115.32 (c)

- Does the agency maintain documentation confirming that volunteers and contractors understand the training they have received? Yes No

Auditor Overall Compliance Determination

- Exceeds Standard** (*Substantially exceeds requirement of standards*)
- Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- Does Not Meet Standard** (*Requires Corrective Action*)

EVIDENCE OF COMPLIANCE:

Armstrong County Jail Policy and Procedure Policy# 3-19 Section Medical Subject: Prison Rape Elimination Act (PREA) became effective on July 11, 2013. The policy addresses contractors, volunteers and visitors education. The policy states the following:

C. CONTRACTORS, VOLUNTEERS and VISITORS

All contractors, volunteers and visitors receive verbal and written information about sexual assault/misconduct prior to entry to the facility.

This information addresses:

- a. Prevention;*
- b. Self-protection;*
- c. Reporting sexual assaults/misconduct, including methods to identify and report such misconduct;*
- d. Protection from retaliation*
- e. Treatment and counseling; and*
- f. Armstrong County Jail's zero tolerance for sexual assault.*

All contractors, volunteers and visitors are required to complete the PREA Acknowledgement form and submit to staff for filing.

I reviewed the materials given to the contractors and volunteers, this material addresses all training items enumerated under this standard. I also reviewed all training sign off sheets and found them to be complete.

During the audit I interviewed a volunteer, he related that he had received the training and found this to be extremely informative. He also understood his role if anything is reported to him.

Standard 115.33: Inmate education

All Yes/No Questions Must Be Answered by the Auditor to Complete the Report

115.33 (a)

- During intake, do inmates receive information explaining the agency's zero-tolerance policy regarding sexual abuse and sexual harassment? Yes No

- During intake, do inmates receive information explaining how to report incidents or suspicions of sexual abuse or sexual harassment? Yes No

115.33 (b)

- Within 30 days of intake, does the agency provide comprehensive education to inmates either in person or through video regarding: Their rights to be free from sexual abuse and sexual harassment? Yes No
- Within 30 days of intake, does the agency provide comprehensive education to inmates either in person or through video regarding: Their rights to be free from retaliation for reporting such incidents? Yes No
- Within 30 days of intake, does the agency provide comprehensive education to inmates either in person or through video regarding: Agency policies and procedures for responding to such incidents? Yes No

115.33 (c)

- Have all inmates received such education? Yes No
- Do inmates receive education upon transfer to a different facility to the extent that the policies and procedures of the inmate's new facility differ from those of the previous facility? Yes No

115.33 (d)

- Does the agency provide inmate education in formats accessible to all inmates including those who are limited English proficient? Yes No
- Does the agency provide inmate education in formats accessible to all inmates including those who are deaf? Yes No
- Does the agency provide inmate education in formats accessible to all inmates including those who are visually impaired? Yes No
- Does the agency provide inmate education in formats accessible to all inmates including those who are otherwise disabled? Yes No
- Does the agency provide inmate education in formats accessible to all inmates including those who have limited reading skills? Yes No

115.33 (e)

- Does the agency maintain documentation of inmate participation in these education sessions? Yes No

115.33 (f)

- In addition to providing such education, does the agency ensure that key information is continuously and readily available or visible to inmates through posters, inmate handbooks, or other written formats? Yes No

Auditor Overall Compliance Determination

- Exceeds Standard** (*Substantially exceeds requirement of standards*)
- Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- Does Not Meet Standard** (*Requires Corrective Action*)

Armstrong County Jail Policy and Procedure Policy# 3-19 Section Medical Subject: Prison Rape Elimination Act (PREA) became effective on July 11, 2013. The policy addresses inmate/offender education. The policy states the following:

B. INMATE/OFFENDER

1. Verbal and Written Information

All new inmates/offenders receive verbal and written information about sexual assault during their commitment to the facility. This information addresses:

- (a) Prevention;*
- (b) Self-protection;*
- (c) Reporting sexual assaults/misconduct, including methods to identify and report such misconduct;*
- (d) Protection from retaliation*
- (e) Treatment and counseling; and*
- (f) Armstrong County Jail's zero tolerance for sexual assault.*

Information regarding these topics is included in the Armstrong County Jail Inmate Handbook and the "Offenders' Guide Regarding Sexual Assault/Misconduct" (copy attached), each of which will be made available to all offenders.

All of the inmates receive initial information on PREA in the form of a pamphlet, upon initial intake. I reviewed these pamphlets and found them to be informative.

Inmates/offenders are required to sign off on the PREA Video Form and submit to staff for filing. The video is shown on a daily basis at noon.

I confirmed during the inmate interviews that they have all received training on PREA and were provided the materials in written form.

I also confirmed the inmate education with the staff during the interviews.

Standard 115.34: Specialized training: Investigations

All Yes/No Questions Must Be Answered by the Auditor to Complete the Report

115.34 (a)

- In addition to the general training provided to all employees pursuant to §115.31, does the agency ensure that, to the extent the agency itself conducts sexual abuse investigations, its investigators have received training in conducting such investigations in confinement settings? (N/A if the agency does not conduct any form of administrative or criminal sexual abuse investigations. See 115.21(a).) Yes No NA

115.34 (b)

- Does this specialized training include techniques for interviewing sexual abuse victims? [N/A if the agency does not conduct any form of administrative or criminal sexual abuse investigations. See 115.21(a).] Yes No NA
- Does this specialized training include proper use of Miranda and Garrity warnings? [N/A if the agency does not conduct any form of administrative or criminal sexual abuse investigations. See 115.21(a).] Yes No NA
- Does this specialized training include sexual abuse evidence collection in confinement settings? [N/A if the agency does not conduct any form of administrative or criminal sexual abuse investigations. See 115.21(a).] Yes No NA
- Does this specialized training include the criteria and evidence required to substantiate a case for administrative action or prosecution referral? [N/A if the agency does not conduct any form of administrative or criminal sexual abuse investigations. See 115.21(a).] Yes No NA

115.34 (c)

- Does the agency maintain documentation that agency investigators have completed the required specialized training in conducting sexual abuse investigations? [N/A if the agency does not conduct any form of administrative or criminal sexual abuse investigations. See 115.21(a).] Yes No NA

115.34 (d)

- Auditor is not required to audit this provision.

Auditor Overall Compliance Determination

- Exceeds Standard** (*Substantially exceeds requirement of standards*)
- Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- Does Not Meet Standard** (*Requires Corrective Action*)

EVIDENCE OF COMPLIANCE:

The investigators attended the investigators training provided by the Pennsylvania Department of Corrections. I certified that all investigators have attended the course provided by the Pennsylvania Department of Corrections. This portion of the training was developed by me when I was employed by the Pennsylvania State Police, this training exceeds the expectations of the standard.

I reviewed all investigations conducted during the past 12 months I found them to be complete and conducted in a timely manner.

In furtherance I spoke with the investigators as to their response to an incident, they understood the responsibility of the investigator as well as his limitations when the investigation turns into a criminal investigation.

Standard 115.35: Specialized training: Medical and mental health care

All Yes/No Questions Must Be Answered by the Auditor to Complete the Report

115.35 (a)

- Does the agency ensure that all full- and part-time medical and mental health care practitioners who work regularly in its facilities have been trained in how to detect and assess signs of sexual abuse and sexual harassment? Yes No
- Does the agency ensure that all full- and part-time medical and mental health care practitioners who work regularly in its facilities have been trained in how to preserve physical evidence of sexual abuse? Yes No
- Does the agency ensure that all full- and part-time medical and mental health care practitioners who work regularly in its facilities have been trained in how to respond effectively and professionally to victims of sexual abuse and sexual harassment? Yes No
- Does the agency ensure that all full- and part-time medical and mental health care practitioners who work regularly in its facilities have been trained in how and to whom to report allegations or suspicions of sexual abuse and sexual harassment? Yes No

115.35 (b)

- If medical staff employed by the agency conduct forensic examinations, do such medical staff receive appropriate training to conduct such examinations? (N/A if agency medical staff at the facility do not conduct forensic exams.) Yes No NA

115.35 (c)

- Does the agency maintain documentation that medical and mental health practitioners have received the training referenced in this standard either from the agency or elsewhere? Yes No

115.35 (d)

- Do medical and mental health care practitioners employed by the agency also receive training mandated for employees by §115.31? Yes No
- Do medical and mental health care practitioners contracted by and volunteering for the agency also receive training mandated for contractors and volunteers by §115.32? Yes No

Auditor Overall Compliance Determination

- Exceeds Standard** (*Substantially exceeds requirement of standards*)
- Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- Does Not Meet Standard** (*Requires Corrective Action*)

EVIDENCE OF COMPLIANCE:

All medical and mental health practitioners have received the required training. This was confirmed by reviewing the medical training certificates, and during the interviews with medical staff.

SCREENING FOR RISK OF SEXUAL VICTIMIZATION AND ABUSIVENESS

Standard 115.41: Screening for risk of victimization and abusiveness

All Yes/No Questions Must Be Answered by the Auditor to Complete the Report

115.41 (a)

- Are all inmates assessed during an intake screening for their risk of being sexually abused by other inmates or sexually abusive toward other inmates? Yes No

- Are all inmates assessed upon transfer to another facility for their risk of being sexually abused by other inmates or sexually abusive toward other inmates? Yes No

115.41 (b)

- Do intake screenings ordinarily take place within 72 hours of arrival at the facility?
 Yes No

115.41 (c)

- Are all PREA screening assessments conducted using an objective screening instrument?
 Yes No

115.41 (d)

- Does the intake screening consider, at a minimum, the following criteria to assess inmates for risk of sexual victimization: (1) Whether the inmate has a mental, physical, or developmental disability? Yes No
- Does the intake screening consider, at a minimum, the following criteria to assess inmates for risk of sexual victimization: (2) The age of the inmate? Yes No
- Does the intake screening consider, at a minimum, the following criteria to assess inmates for risk of sexual victimization: (3) The physical build of the inmate? Yes No
- Does the intake screening consider, at a minimum, the following criteria to assess inmates for risk of sexual victimization: (4) Whether the inmate has previously been incarcerated?
 Yes No
- Does the intake screening consider, at a minimum, the following criteria to assess inmates for risk of sexual victimization: (5) Whether the inmate's criminal history is exclusively nonviolent?
 Yes No
- Does the intake screening consider, at a minimum, the following criteria to assess inmates for risk of sexual victimization: (6) Whether the inmate has prior convictions for sex offenses against an adult or child? Yes No
- Does the intake screening consider, at a minimum, the following criteria to assess inmates for risk of sexual victimization: (7) Whether the inmate is or is perceived to be gay, lesbian, bisexual, transgender, intersex, or gender nonconforming (the facility affirmatively asks the inmate about his/her sexual orientation and gender identity AND makes a subjective determination based on the screener's perception whether the inmate is gender non-conforming or otherwise may be perceived to be LGBTI)? Yes No

- Does the intake screening consider, at a minimum, the following criteria to assess inmates for risk of sexual victimization: (8) Whether the inmate has previously experienced sexual victimization? Yes No
- Does the intake screening consider, at a minimum, the following criteria to assess inmates for risk of sexual victimization: (9) The inmate's own perception of vulnerability? Yes No
- Does the intake screening consider, at a minimum, the following criteria to assess inmates for risk of sexual victimization: (10) Whether the inmate is detained solely for civil immigration purposes? Yes No

115.41 (e)

- In assessing inmates for risk of being sexually abusive, does the initial PREA risk screening consider, when known to the agency: prior acts of sexual abuse? Yes No
- In assessing inmates for risk of being sexually abusive, does the initial PREA risk screening consider, when known to the agency: prior convictions for violent offenses? Yes No
- In assessing inmates for risk of being sexually abusive, does the initial PREA risk screening consider, when known to the agency: history of prior institutional violence or sexual abuse? Yes No

115.41 (f)

- Within a set time period not more than 30 days from the inmate's arrival at the facility, does the facility reassess the inmate's risk of victimization or abusiveness based upon any additional, relevant information received by the facility since the intake screening? Yes No

115.41 (g)

- Does the facility reassess an inmate's risk level when warranted due to a: Referral? Yes No
- Does the facility reassess an inmate's risk level when warranted due to a: Request? Yes No
- Does the facility reassess an inmate's risk level when warranted due to a: Incident of sexual abuse? Yes No
- Does the facility reassess an inmate's risk level when warranted due to a: Receipt of additional information that bears on the inmate's risk of sexual victimization or abusiveness? Yes No

115.41 (h)

- Is it the case that inmates are not ever disciplined for refusing to answer, or for not disclosing complete information in response to, questions asked pursuant to paragraphs (d)(1), (d)(7), (d)(8), or (d)(9) of this section? Yes No

115.41 (i)

- Has the agency implemented appropriate controls on the dissemination within the facility of responses to questions asked pursuant to this standard in order to ensure that sensitive information is not exploited to the inmate's detriment by staff or other inmates? Yes No

Auditor Overall Compliance Determination

- Exceeds Standard** (*Substantially exceeds requirement of standards*)
- Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- Does Not Meet Standard** (*Requires Corrective Action*)

EVIDENCE OF COMPLIANCE:

Armstrong County Jail Policy and Procedure Policy# 3-19 Section Medical Subject: Prison Rape Elimination Act (PREA) became effective on July 11, 2013. The policy addresses screening for risk of victimization and abusiveness. The policy states the following:

VII. CLASSIFICATION AND HOUSING

Armstrong County Jail shall provide housing assignments that reduce the likelihood of sexual assault while an inmate is in custody.

A. Inmates will be assessed to determine whether they meet specific criteria indicating either vulnerability to sexual assault or a history of sexually abusive behavior.

1. Vulnerable Inmates:

Inmates will be evaluated at Intake to specifically determine their vulnerability to sexual assault as indicated by the following risk factors:

- a. Age (inmates within the following categories):*
 - 1) Juvenile, i.e., younger than 18 years of age or appears younger, or*
 - 2) Adult inmate younger than 25 years of age, or*
 - 3) Adult inmate older than 65 years of age.*
- b. Physical stature, (male inmate less than 130 pounds and/or less than 5'8" tall);*
- c. Mental or physical disability;*
- d. Known Mental illness;*
- e. Sex offender status, (per criminal history);*
- f. First time offender status, (first time in custody); or*
- g. Past history of victimization (if known, i.e. police reports, etc.)*

- h. *Inmate's own perception of vulnerability.*
 - j. *Score attained on "Sexual Victimization Predictor Scale" (attached)*
2. *An inmate should be designated with and identified for vulnerability if:*
- a. *Three or more of the above criteria apply, or*
 - b. *One or more of these factors apply with sufficient documentation by the reviewer to warrant concern.*

3. *Sexually Abusive Inmates (Predators):*

Inmates will be evaluated at Intake to specifically determine if there are indications that an inmate is prone to victimize other inmates, especially in regard to sexual behavior, including the following:

- a. *History of sexually abusive behavior (per criminal history, misconduct reports and/or EOR (Extraordinary Occurrence Reports) re: sexual activity or assault, as well as info in police reports, etc.)*
- b. *Score attained on "Sexual Predator Predictor Scale" (attached)*

I reviewed the screening tool utilized for the screening of the inmates, this tool covers all questions enumerated in the standard.

The 30 day screening tool is being completed by the counselors this was confirmed with the PREA Coordinator and during the counselor's interviews.

These processes were further confirmed during the staff and inmate interviews and during my visual inspection of the screening tools.

All initial screening tools are being conducted within 72 hrs. of intake.

Standard 115.42: Use of screening information

All Yes/No Questions Must Be Answered by the Auditor to Complete the Report

115.42 (a)

- Does the agency use information from the risk screening required by § 115.41, with the goal of keeping separate those inmates at high risk of being sexually victimized from those at high risk of being sexually abusive, to inform: Housing Assignments? Yes No
- Does the agency use information from the risk screening required by § 115.41, with the goal of keeping separate those inmates at high risk of being sexually victimized from those at high risk of being sexually abusive, to inform: Bed assignments? Yes No
- Does the agency use information from the risk screening required by § 115.41, with the goal of keeping separate those inmates at high risk of being sexually victimized from those at high risk of being sexually abusive, to inform: Work Assignments? Yes No

- Does the agency use information from the risk screening required by § 115.41, with the goal of keeping separate those inmates at high risk of being sexually victimized from those at high risk of being sexually abusive, to inform: Education Assignments? Yes No
- Does the agency use information from the risk screening required by § 115.41, with the goal of keeping separate those inmates at high risk of being sexually victimized from those at high risk of being sexually abusive, to inform: Program Assignments? Yes No

115.42 (b)

- Does the agency make individualized determinations about how to ensure the safety of each inmate? Yes No

115.42 (c)

- When deciding whether to assign a transgender or intersex inmate to a facility for male or female inmates, does the agency consider on a case-by-case basis whether a placement would ensure the inmate's health and safety, and whether a placement would present management or security problems (NOTE: if an agency by policy or practice assigns inmates to a male or female facility on the basis of anatomy alone, that agency is not in compliance with this standard)? Yes No
- When making housing or other program assignments for transgender or intersex inmates, does the agency consider on a case-by-case basis whether a placement would ensure the inmate's health and safety, and whether a placement would present management or security problems? Yes No

115.42 (d)

- Are placement and programming assignments for each transgender or intersex inmate reassessed at least twice each year to review any threats to safety experienced by the inmate? Yes No

115.42 (e)

- Are each transgender or intersex inmate's own views with respect to his or her own safety given serious consideration when making facility and housing placement decisions and programming assignments? Yes No

115.42 (f)

- Are transgender and intersex inmates given the opportunity to shower separately from other inmates? Yes No

115.42 (g)

- Unless placement is in a dedicated facility, unit, or wing established in connection with a consent decree, legal settlement, or legal judgment for the purpose of protecting lesbian, gay, bisexual, transgender, or intersex inmates, does the agency always refrain from placing:

lesbian, gay, and bisexual inmates in dedicated facilities, units, or wings solely on the basis of such identification or status? Yes No

- Unless placement is in a dedicated facility, unit, or wing established in connection with a consent decree, legal settlement, or legal judgment for the purpose of protecting lesbian, gay, bisexual, transgender, or intersex inmates, does the agency always refrain from placing: transgender inmates in dedicated facilities, units, or wings solely on the basis of such identification or status? Yes No
- Unless placement is in a dedicated facility, unit, or wing established in connection with a consent decree, legal settlement, or legal judgment for the purpose of protecting lesbian, gay, bisexual, transgender, or intersex inmates, does the agency always refrain from placing: intersex inmates in dedicated facilities, units, or wings solely on the basis of such identification or status? Yes No

Auditor Overall Compliance Determination

- Exceeds Standard** (*Substantially exceeds requirement of standards*)
- Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- Does Not Meet Standard** (*Requires Corrective Action*)

I verified with the PREA Coordinator that the screening tool is being utilized for housing, work, education and programming decisions.

This information is being kept to the administration that makes these decisions.

Standard 115.43: Protective Custody

All Yes/No Questions Must Be Answered by the Auditor to Complete the Report

115.43 (a)

- Does the facility always refrain from placing inmates at high risk for sexual victimization in involuntary segregated housing unless an assessment of all available alternatives has been made, and a determination has been made that there is no available alternative means of separation from likely abusers? Yes No
- If a facility cannot conduct such an assessment immediately, does the facility hold the inmate in involuntary segregated housing for less than 24 hours while completing the assessment? Yes No

115.43 (b)

- Do inmates who are placed in segregated housing because they are at high risk of sexual victimization have access to: Programs to the extent possible? Yes No
- Do inmates who are placed in segregated housing because they are at high risk of sexual victimization have access to: Privileges to the extent possible? Yes No
- Do inmates who are placed in segregated housing because they are at high risk of sexual victimization have access to: Education to the extent possible? Yes No
- Do inmates who are placed in segregated housing because they are at high risk of sexual victimization have access to: Work opportunities to the extent possible? Yes No
- If the facility restricts access to programs, privileges, education, or work opportunities, does the facility document: The opportunities that have been limited? Yes No
- If the facility restricts access to programs, privileges, education, or work opportunities, does the facility document: The duration of the limitation? Yes No
- If the facility restricts access to programs, privileges, education, or work opportunities, does the facility document: The reasons for such limitations? Yes No

115.43 (c)

- Does the facility assign inmates at high risk of sexual victimization to involuntary segregated housing only until an alternative means of separation from likely abusers can be arranged? Yes No
- Does such an assignment not ordinarily exceed a period of 30 days? Yes No

115.43 (d)

- If an involuntary segregated housing assignment is made pursuant to paragraph (a) of this section, does the facility clearly document: The basis for the facility's concern for the inmate's safety? Yes No
- If an involuntary segregated housing assignment is made pursuant to paragraph (a) of this section, does the facility clearly document: The reason why no alternative means of separation can be arranged? Yes No

115.43 (e)

- In the case of each inmate who is placed in involuntary segregation because he/she is at high risk of sexual victimization, does the facility afford a review to determine whether there is a continuing need for separation from the general population EVERY 30 DAYS? Yes No

Auditor Overall Compliance Determination

- Exceeds Standard** (*Substantially exceeds requirement of standards*)
- Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- Does Not Meet Standard** (*Requires Corrective Action*)

EVIDENCE OF COMPLIANCE:

Armstrong County Jail Policy and Procedure Policy# 1-33 Section Security Subject Protective Custody states the following:

Inmates who are at risk for sexual victimization shall not be segregated involuntarily unless there are no available housing areas to separate them from possible abusers. The Lieutenant will complete assessment within 24 hours and will note other housing alternatives and reason why they were not an option. If the Armstrong County Jail segregates for this purpose, the inmate shall have access to programs, privileges, and work opportunities. Review of those inmates in PC will be scheduled by the counselors and will not exceed 30 days. If the inmate is returned to PC, another review will be scheduled not to exceed 30 days and every 30 days thereafter. Clear documentation using form 100.29.10 PREA Custody will be made regarding the concerns for the inmate's safety and the reason why alternative separation was not feasible. This form will be kept in the administration area to maintain confidentiality.

During the interview with the PREA Coordinator I verified that no inmates identified as vulnerable are being placed in involuntary protective custody. The facility has enough housing units that give them the opportunity to place inmates in other housing units to protect them without having to utilize a segregated housing unit.

I verified this procedure during the inmate interviews, several had identified as vulnerable during the initial screening. They related that they were not placed in segregated housing.

REPORTING

Standard 115.51: Inmate reporting

All Yes/No Questions Must Be Answered by the Auditor to Complete the Report

115.51 (a)

- Does the agency provide multiple internal ways for inmates to privately report: Sexual abuse and sexual harassment? Yes No
- Does the agency provide multiple internal ways for inmates to privately report: Retaliation by other inmates or staff for reporting sexual abuse and sexual harassment? Yes No

- Does the agency provide multiple internal ways for inmates to privately report: Staff neglect or violation of responsibilities that may have contributed to such incidents? Yes No

115.51 (b)

- Does the agency also provide at least one way for inmates to report sexual abuse or sexual harassment to a public or private entity or office that is not part of the agency? Yes No
- Is that private entity or office able to receive and immediately forward inmate reports of sexual abuse and sexual harassment to agency officials? Yes No
- Does that private entity or office allow the inmate to remain anonymous upon request? Yes No
- Are inmates detained solely for civil immigration purposes provided information on how to contact relevant consular officials and relevant officials at the Department of Homeland Security? Yes No

115.51 (c)

- Does staff accept reports of sexual abuse and sexual harassment made verbally, in writing, anonymously, and from third parties? Yes No
- Does staff promptly document any verbal reports of sexual abuse and sexual harassment? Yes No

115.51 (d)

- Does the agency provide a method for staff to privately report sexual abuse and sexual harassment of inmates? Yes No

Auditor Overall Compliance Determination

- Exceeds Standard** (*Substantially exceeds requirement of standards*)
- Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- Does Not Meet Standard** (*Requires Corrective Action*)

EVIDENCE OF COMPLIANCE:

Armstrong County Jail Policy and Procedure Policy# 3-19 Section Medical Subject: Prison Rape Elimination Act (PREA) became effective on July 11, 2013. The policy addresses inmate reporting. The policy states the following:

1. Any offender may report acts of sexual assault/misconduct to any employee, contract employee or volunteer using available methods of communication, including but not limited to:

- a. report the incident to a staff member;
- b. utilize the "locked box" formal grievance procedure; or
- c. use a Department-approved free confidential telephone hotline.

The facility has posters throughout the facility providing a tip line with the following: Report Sexual Assault or Misconduct Sexual Assault Hotline Number 1-866-823-6703 these posters are printed in Spanish also.

This hotline is for the Pennsylvania Department of Corrections reporting center in Camp Hill.

During the interviews with both staff and inmates they all related that they understood the avenues of reporting, all of the inmates related that they would feel comfortable reporting to a staff member at the facility.

I checked the telephone and found the hotline number to be functioning properly.

Standard 115.52: Exhaustion of administrative remedies

All Yes/No Questions Must Be Answered by the Auditor to Complete the Report

115.52 (a)

- Is the agency exempt from this standard? NOTE: The agency is exempt ONLY if it does not have administrative procedures to address inmate grievances regarding sexual abuse. This does not mean the agency is exempt simply because an inmate does not have to or is not ordinarily expected to submit a grievance to report sexual abuse. This means that as a matter of explicit policy, the agency does not have an administrative remedies process to address sexual abuse. Yes No NA

115.52 (b)

- Does the agency permit inmates to submit a grievance regarding an allegation of sexual abuse without any type of time limits? (The agency may apply otherwise-applicable time limits to any portion of a grievance that does not allege an incident of sexual abuse.) (N/A if agency is exempt from this standard.) Yes No NA
- Does the agency always refrain from requiring an inmate to use any informal grievance process, or to otherwise attempt to resolve with staff, an alleged incident of sexual abuse? (N/A if agency is exempt from this standard.) Yes No NA

115.52 (c)

- Does the agency ensure that: An inmate who alleges sexual abuse may submit a grievance without submitting it to a staff member who is the subject of the complaint? (N/A if agency is exempt from this standard.) Yes No NA
- Does the agency ensure that: Such grievance is not referred to a staff member who is the subject of the complaint? (N/A if agency is exempt from this standard.) Yes No NA

115.52 (d)

- Does the agency issue a final agency decision on the merits of any portion of a grievance alleging sexual abuse within 90 days of the initial filing of the grievance? (Computation of the 90-day time period does not include time consumed by inmates in preparing any administrative appeal.) (N/A if agency is exempt from this standard.) Yes No NA
- If the agency claims the maximum allowable extension of time to respond of up to 70 days per 115.52(d)(3) when the normal time period for response is insufficient to make an appropriate decision, does the agency notify the inmate in writing of any such extension and provide a date by which a decision will be made? (N/A if agency is exempt from this standard.) Yes No NA
- At any level of the administrative process, including the final level, if the inmate does not receive a response within the time allotted for reply, including any properly noticed extension, may an inmate consider the absence of a response to be a denial at that level? (N/A if agency is exempt from this standard.) Yes No NA

115.52 (e)

- Are third parties, including fellow inmates, staff members, family members, attorneys, and outside advocates, permitted to assist inmates in filing requests for administrative remedies relating to allegations of sexual abuse? (N/A if agency is exempt from this standard.) Yes No NA
- Are those third parties also permitted to file such requests on behalf of inmates? (If a third-party files such a request on behalf of an inmate, the facility may require as a condition of processing the request that the alleged victim agree to have the request filed on his or her behalf, and may also require the alleged victim to personally pursue any subsequent steps in the administrative remedy process.) (N/A if agency is exempt from this standard.) Yes No NA
- If the inmate declines to have the request processed on his or her behalf, does the agency document the inmate's decision? (N/A if agency is exempt from this standard.) Yes No NA

115.52 (f)

- Has the agency established procedures for the filing of an emergency grievance alleging that an inmate is subject to a substantial risk of imminent sexual abuse? (N/A if agency is exempt from this standard.) Yes No NA

- After receiving an emergency grievance alleging an inmate is subject to a substantial risk of imminent sexual abuse, does the agency immediately forward the grievance (or any portion thereof that alleges the substantial risk of imminent sexual abuse) to a level of review at which immediate corrective action may be taken? (N/A if agency is exempt from this standard.)
 Yes No NA
- After receiving an emergency grievance described above, does the agency provide an initial response within 48 hours? (N/A if agency is exempt from this standard.) Yes No NA
- After receiving an emergency grievance described above, does the agency issue a final agency decision within 5 calendar days? (N/A if agency is exempt from this standard.)
 Yes No NA
- Does the initial response and final agency decision document the agency's determination whether the inmate is in substantial risk of imminent sexual abuse? (N/A if agency is exempt from this standard.) Yes No NA
- Does the initial response document the agency's action(s) taken in response to the emergency grievance? (N/A if agency is exempt from this standard.) Yes No NA
- Does the agency's final decision document the agency's action(s) taken in response to the emergency grievance? (N/A if agency is exempt from this standard.) Yes No NA

115.52 (g)

- If the agency disciplines an inmate for filing a grievance related to alleged sexual abuse, does it do so ONLY where the agency demonstrates that the inmate filed the grievance in bad faith? (N/A if agency is exempt from this standard.) Yes No NA

Auditor Overall Compliance Determination

- Exceeds Standard** (*Substantially exceeds requirement of standards*)
- Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- Does Not Meet Standard** (*Requires Corrective Action*)

EVIDENCE OF COMPLIANCE:

The facility does not accept grievances related to sexual abuse or sexual harassment, therefore this standard does not apply.

Standard 115.53: Inmate access to outside confidential support services

All Yes/No Questions Must Be Answered by the Auditor to Complete the Report

115.53 (a)

- Does the facility provide inmates with access to outside victim advocates for emotional support services related to sexual abuse by giving inmates mailing addresses and telephone numbers, including toll-free hotline numbers where available, of local, State, or national victim advocacy or rape crisis organizations? Yes No
- Does the facility provide persons detained solely for civil immigration purposes mailing addresses and telephone numbers, including toll-free hotline numbers where available of local, State, or national immigrant services agencies? Yes No
- Does the facility enable reasonable communication between inmates and these organizations and agencies, in as confidential a manner as possible? Yes No

115.53 (b)

- Does the facility inform inmates, prior to giving them access, of the extent to which such communications will be monitored and the extent to which reports of abuse will be forwarded to authorities in accordance with mandatory reporting laws? Yes No

115.53 (c)

- Does the agency maintain or attempt to enter into memoranda of understanding or other agreements with community service providers that are able to provide inmates with confidential emotional support services related to sexual abuse? Yes No
- Does the agency maintain copies of agreements or documentation showing attempts to enter into such agreements? Yes No

Auditor Overall Compliance Determination

- Exceeds Standard** (*Substantially exceeds requirement of standards*)
- Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- Does Not Meet Standard** (*Requires Corrective Action*)

EVIDENCE OF COMPLIANCE:

Armstrong County Jail Policy and Procedure Policy# 3-19 Section Medical Subject: Prison Rape Elimination Act (PREA) became effective on July 11, 2013. The policy addresses inmate access to outside confidential support services. The policy states the following:

Victim services, including but not limited to, medical treatment, mental health/crisis intervention, and counseling will be provided at no cost to the victim. However, should the allegation be found to be unsubstantiated or unfounded, the alleged victim may be responsible for restitution for services provided.

1. The Warden, or designee, will develop procedures for providing victim services to offenders who allege that they are victims of sexual acts or contact or staff sexual misconduct or harassment, services will include, at minimum:

- a. medical examination, documentation, and treatment of injuries;
- b. mental health crisis intervention and treatment; and
- c. social, family, and peer support.

The facility has an MOU with HAVIN for victim advocacy.

During the review of the investigations I found that these services were offered to all inmates, but have not been utilized.

Standard 115.54: Third-party reporting

All Yes/No Questions Must Be Answered by the Auditor to Complete the Report

115.54 (a)

- Has the agency established a method to receive third-party reports of sexual abuse and sexual harassment? Yes No
- Has the agency distributed publicly information on how to report sexual abuse and sexual harassment on behalf of an inmate? Yes No

Auditor Overall Compliance Determination

- Exceeds Standard** (*Substantially exceeds requirement of standards*)
- Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- Does Not Meet Standard** (*Requires Corrective Action*)

EVIDENCE OF COMPLIANCE:

The facility has the information for third party reporting listed on their website.

The information is also posted in the lobby area of the facility, I was able to view this upon entering the facility

OFFICIAL RESPONSE FOLLOWING AN INMATE REPORT

Standard 115.61: Staff and agency reporting duties

All Yes/No Questions Must Be Answered by the Auditor to Complete the Report

115.61 (a)

- Does the agency require all staff to report immediately and according to agency policy any knowledge, suspicion, or information regarding an incident of sexual abuse or sexual harassment that occurred in a facility, whether or not it is part of the agency? Yes No
- Does the agency require all staff to report immediately and according to agency policy any knowledge, suspicion, or information regarding retaliation against inmates or staff who reported an incident of sexual abuse or sexual harassment? Yes No
- Does the agency require all staff to report immediately and according to agency policy any knowledge, suspicion, or information regarding any staff neglect or violation of responsibilities that may have contributed to an incident of sexual abuse or sexual harassment or retaliation? Yes No

115.61 (b)

- Apart from reporting to designated supervisors or officials, does staff always refrain from revealing any information related to a sexual abuse report to anyone other than to the extent necessary, as specified in agency policy, to make treatment, investigation, and other security and management decisions? Yes No

115.61 (c)

- Unless otherwise precluded by Federal, State, or local law, are medical and mental health practitioners required to report sexual abuse pursuant to paragraph (a) of this section? Yes No
- Are medical and mental health practitioners required to inform inmates of the practitioner's duty to report, and the limitations of confidentiality, at the initiation of services? Yes No

115.61 (d)

- If the alleged victim is under the age of 18 or considered a vulnerable adult under a State or local vulnerable persons statute, does the agency report the allegation to the designated State or local services agency under applicable mandatory reporting laws? Yes No

115.61 (e)

- Does the facility report all allegations of sexual abuse and sexual harassment, including third-party and anonymous reports, to the facility’s designated investigators? Yes No

Auditor Overall Compliance Determination

- Exceeds Standard** (*Substantially exceeds requirement of standards*)
- Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- Does Not Meet Standard** (*Requires Corrective Action*)

EVIDENCE OF COMPLIANCE:

Armstrong County Jail Policy and Procedure Policy# 3-19 Section Medical Subject: Prison Rape Elimination Act (PREA) became effective on July 11, 2013. The policy addresses staff and agency reporting duties. The policy states the following:

- 1. Any offender may report acts of sexual assault/misconduct to any employee, contract employee or volunteer using available methods of communication, including but not limited to:*
 - a. report the incident to a staff member;*
 - b. utilize the “locked box” formal grievance procedure; or*
 - c. use a Department-approved free confidential telephone hotline.*
- 2. Anyone that receives a report of an alleged sexual assault, whether verbally or in writing, immediately notifies the supervisor and completes a “Sexual Assault Report and Containment Checklist” (attached).*

When I interviewed the random staff I was impressed with the answers related to staff reporting. All of the staff understood the importance of reporting, what their duties were, and how to effectively report this information. The staff also understood the internal reporting system as well as the external reporting avenues. They all understood the importance of keeping the information reported to them private as well as all applicable mandatory reporting laws.

I also reviewed all of the investigations and found that they had been reported properly and acted upon immediately.

Standard 115.62: Agency protection duties

All Yes/No Questions Must Be Answered by the Auditor to Complete the Report

115.62 (a)

- When the agency learns that an inmate is subject to a substantial risk of imminent sexual abuse, does it take immediate action to protect the inmate? Yes No

Auditor Overall Compliance Determination

- Exceeds Standard** (*Substantially exceeds requirement of standards*)
- Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- Does Not Meet Standard** (*Requires Corrective Action*)

EVIDENCE OF COMPLIANCE:

Armstrong County Jail Policy and Procedure Policy# 3-19 Section Medical Subject: Prison Rape Elimination Act (PREA) became effective on July 11, 2013. The policy addresses agency protection duties. The policy states the following:

Anyone that receives a report of an alleged sexual assault, whether verbally or in writing, immediately notifies the supervisor and completes a "Sexual Assault Report and Containment Checklist" (attached).

The Shift Supervisor in coordination with the Warden ensures the alleged victim and alleged suspect are physically separated, either through the placement of one or both offenders in segregation, through staff transfer of duty assignment or leave options (including suspension), or other effective means. In every case where the alleged perpetrator is an employee, there will be no contact between the alleged perpetrator and the alleged victim without the approval of the Warden. Once separated, staff will conduct preliminary interviews with offenders regarding offender on offender alleged sexual assaults and/or staff-on-offender sexual misconduct.

All of the staff interviewed understood their duties to protect an inmate, they all responded in the same manner, they would act immediately.

The staff also recognized the importance of separating the alleged offender from further interaction with any other inmate, they all related that they would have the alleged offender under constant supervision.

I reviewed all of the investigations conducted and found that the initial response showed that the staff took the safety of the alleged victim seriously and acted appropriately to the situation.

Standard 115.63: Reporting to other confinement facilities

All Yes/No Questions Must Be Answered by the Auditor to Complete the Report

115.63 (a)

- Upon receiving an allegation that an inmate was sexually abused while confined at another facility, does the head of the facility that received the allegation notify the head of the facility or appropriate office of the agency where the alleged abuse occurred? Yes No

115.63 (b)

- Is such notification provided as soon as possible, but no later than 72 hours after receiving the allegation? Yes No

115.63 (c)

- Does the agency document that it has provided such notification? Yes No

115.63 (d)

- Does the facility head or agency office that receives such notification ensure that the allegation is investigated in accordance with these standards? Yes No

Auditor Overall Compliance Determination

- Exceeds Standard** (*Substantially exceeds requirement of standards*)
- Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- Does Not Meet Standard** (*Requires Corrective Action*)

The staff interviewed understood their responsibilities to report to another confinement facility if an allegation was reported at Armstrong County Jail that had occurred elsewhere.

They have not had to notify another confinement facility relative to a PREA allegation.

Standard 115.64: Staff first responder duties

All Yes/No Questions Must Be Answered by the Auditor to Complete the Report

115.64 (a)

- Upon learning of an allegation that an inmate was sexually abused, is the first security staff member to respond to the report required to: Separate the alleged victim and abuser?
 Yes No
- Upon learning of an allegation that an inmate was sexually abused, is the first security staff member to respond to the report required to: Preserve and protect any crime scene until appropriate steps can be taken to collect any evidence? Yes No
- Upon learning of an allegation that an inmate was sexually abused, is the first security staff member to respond to the report required to: Request that the alleged victim not take any actions that could destroy physical evidence, including, as appropriate, washing, brushing teeth, changing clothes, urinating, defecating, smoking, drinking, or eating, if the abuse occurred within a time period that still allows for the collection of physical evidence? Yes No
- Upon learning of an allegation that an inmate was sexually abused, is the first security staff member to respond to the report required to: Ensure that the alleged abuser does not take any actions that could destroy physical evidence, including, as appropriate, washing, brushing teeth,

changing clothes, urinating, defecating, smoking, drinking, or eating, if the abuse occurred within a time period that still allows for the collection of physical evidence? Yes No

115.64 (b)

- If the first staff responder is not a security staff member, is the responder required to request that the alleged victim not take any actions that could destroy physical evidence, and then notify security staff? Yes No

Auditor Overall Compliance Determination

- Exceeds Standard** (*Substantially exceeds requirement of standards*)
- Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- Does Not Meet Standard** (*Requires Corrective Action*)

EVIDENCE OF COMPLIANCE:

Armstrong County Jail Policy and Procedure Policy# 3-19 Section Medical Subject: Prison Rape Elimination Act (PREA) became effective on July 11, 2013. The policy addresses Staff first responder duties. The policy states the following:

A. *Initial Report and Separation*

1. Any offender may report acts of sexual assault/misconduct to any employee, contract employee or volunteer using available methods of communication, including but not limited to:

- a. report the incident to a staff member;*
- b. utilize the "locked box" formal grievance procedure; or*
- c. use a Department-approved free confidential telephone hotline.*

2. Anyone that receives a report of an alleged sexual assault, whether verbally or in writing, immediately notifies the supervisor and completes a "Sexual Assault Report and Containment Checklist" (attached).

3. The Shift Supervisor in coordination with the Warden ensures the alleged victim and alleged suspect are physically separated, either through the placement of one or both offenders in segregation, through staff transfer of duty assignment or leave options (including suspension), or other effective means. In every case where the alleged perpetrator is an employee, there will be no contact between the alleged perpetrator and the alleged victim without the approval of the Warden. Once separated, staff will conduct preliminary interviews with offenders regarding offender on offender alleged sexual assaults and/or staff-on-offender sexual misconduct.

4. The alleged victim is immediately taken to the Medical Room for initial evaluation and any immediate first aid treatment.

During the staff interviews I found that the staff understand their duties as to responding to an incident. They all advised me that they would act immediately and make the protection of the inmate their first priority.

I reviewed the investigations that were conducted, I found that all first responders acted appropriately.

Standard 115.65: Coordinated response

All Yes/No Questions Must Be Answered by the Auditor to Complete the Report

115.65 (a)

- Has the facility developed a written institutional plan to coordinate actions among staff first responders, medical and mental health practitioners, investigators, and facility leadership taken in response to an incident of sexual abuse? Yes No

Auditor Overall Compliance Determination

- Exceeds Standard** (*Substantially exceeds requirement of standards*)
- Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- Does Not Meet Standard** (*Requires Corrective Action*)

EVIDENCE OF COMPLIANCE:

The overall policies outline the coordinated response to incidents. All of the staff interviewed understood their responsibilities in responding and the importance of all entities working together.

I reviewed all of the investigations and found that all were conducted in this manner, and were all initially coordinated by the Shift Supervisor.

Standard 115.66: Preservation of ability to protect inmates from contact with abusers

All Yes/No Questions Must Be Answered by the Auditor to Complete the Report

115.66 (a)

- Are both the agency and any other governmental entities responsible for collective bargaining on the agency's behalf prohibited from entering into or renewing any collective bargaining agreement or other agreement that limits the agency's ability to remove alleged staff sexual abusers from contact with any inmates pending the outcome of an investigation or of a determination of whether and to what extent discipline is warranted? Yes No

115.66 (b)

- Auditor is not required to audit this provision.

Auditor Overall Compliance Determination

- Exceeds Standard** (*Substantially exceeds requirement of standards*)
- Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- Does Not Meet Standard** (*Requires Corrective Action*)

EVIDENCE OF COMPLIANCE:

Armstrong County has entered into an agreement with the International Brotherhood of Teamsters Local Union No. 538, who represent the correctional officers. I spoke with the shop stewards who verified that the agreement would not limit the ability of the Armstrong County Jail to remove alleged staff sexual abusers from contact with inmates.

Standard 115.67: Agency protection against retaliation

All Yes/No Questions Must Be Answered by the Auditor to Complete the Report

115.67 (a)

- Has the agency established a policy to protect all inmates and staff who report sexual abuse or sexual harassment or cooperate with sexual abuse or sexual harassment investigations from retaliation by other inmates or staff? Yes No
- Has the agency designated which staff members or departments are charged with monitoring retaliation? Yes No

115.67 (b)

- Does the agency employ multiple protection measures, such as housing changes or transfers for inmate victims or abusers, removal of alleged staff or inmate abusers from contact with victims, and emotional support services for inmates or staff who fear retaliation for reporting sexual abuse or sexual harassment or for cooperating with investigations? Yes No

115.67 (c)

- Except in instances where the agency determines that a report of sexual abuse is unfounded, for at least 90 days following a report of sexual abuse, does the agency: Monitor the conduct and treatment of residents or staff who reported the sexual abuse to see if there are changes that may suggest possible retaliation by inmates or staff? Yes No
- Except in instances where the agency determines that a report of sexual abuse is unfounded, for at least 90 days following a report of sexual abuse, does the agency: Monitor the conduct and treatment of inmates who were reported to have suffered sexual abuse to see if there are changes that may suggest possible retaliation by inmates or staff? Yes No
- Except in instances where the agency determines that a report of sexual abuse is unfounded, for at least 90 days following a report of sexual abuse, does the agency: Act promptly to remedy any such retaliation? Yes No
- Except in instances where the agency determines that a report of sexual abuse is unfounded, for at least 90 days following a report of sexual abuse, does the agency: Monitor any inmate disciplinary reports? Yes No
- Except in instances where the agency determines that a report of sexual abuse is unfounded, for at least 90 days following a report of sexual abuse, does the agency: Monitor inmate housing changes? Yes No
- Except in instances where the agency determines that a report of sexual abuse is unfounded, for at least 90 days following a report of sexual abuse, does the agency: Monitor inmate program changes? Yes No
- Except in instances where the agency determines that a report of sexual abuse is unfounded, for at least 90 days following a report of sexual abuse, does the agency: Monitor negative performance reviews of staff? Yes No
- Except in instances where the agency determines that a report of sexual abuse is unfounded, for at least 90 days following a report of sexual abuse, does the agency: Monitor reassignments of staff? Yes No
- Does the agency continue such monitoring beyond 90 days if the initial monitoring indicates a continuing need? Yes No

115.67 (d)

- In the case of inmates, does such monitoring also include periodic status checks?
 Yes No

115.67 (e)

- If any other individual who cooperates with an investigation expresses a fear of retaliation, does the agency take appropriate measures to protect that individual against retaliation?
 Yes No

115.67 (f)

- Auditor is not required to audit this provision.

Auditor Overall Compliance Determination

- Exceeds Standard** (*Substantially exceeds requirement of standards*)
- Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- Does Not Meet Standard** (*Requires Corrective Action*)

Armstrong County Jail Policy and Procedure Policy# 3-19 Section Medical Subject: Prison Rape Elimination Act (PREA) became effective on July 11, 2013. The policy addresses retaliation. The policy states the following:

Armstrong County Jail will not tolerate retaliation against offenders, employees, or other parties for reporting sexual misconduct. Employees that retaliate will face disciplinary action.

The PREA Coordinator would be assigned to monitor retaliation. During his interview he related he understood his responsibilities under this policy.

I reviewed the investigations and found that they did not relate to any retaliation or alleged retaliation

Standard 115.68: Post-allegation protective custody

All Yes/No Questions Must Be Answered by the Auditor to Complete the Report

115.68 (a)

- Is any and all use of segregated housing to protect an inmate who is alleged to have suffered sexual abuse subject to the requirements of § 115.43? Yes No

Auditor Overall Compliance Determination

- Exceeds Standard** (*Substantially exceeds requirement of standards*)
- Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- Does Not Meet Standard** (*Requires Corrective Action*)

EVIDENCE OF COMPLIANCE:

Armstrong County Jail Policy and Procedure Policy# 1-33 Section Security Subject Protective Custody states the following:

Inmates who are at risk for sexual victimization shall not be segregated involuntarily unless there are no available housing areas to separate them from possible abusers. The Lieutenant will complete assessment within 24 hours and will note other housing alternatives and reason why they were not an option. If the Armstrong County Jail segregates for this purpose, the inmate shall have access to programs, privileges, and work opportunities. Review of those inmates in PC will be scheduled by the counselors and will not exceed 30 days. If the inmate is returned to PC, another review will be scheduled not to exceed 30 days and every 30 days thereafter. Clear documentation using form 100.29.10 PREA Custody will be made regarding the concerns for the inmate's safety and the reason why alternative separation was not feasible. This form will be kept in the administration area to maintain confidentiality.

During the interview with the PREA Coordinator I found that he understands the restrictions of utilizing protective custody post-allegation. He related that the facility has the ability to move inmates to a separate housing unit without having to utilize segregation.

I reviewed the investigations and found that the facility did not utilize any post allegation protective custody in any of the incidents reported.

INVESTIGATIONS

Standard 115.71: Criminal and administrative agency investigations

All Yes/No Questions Must Be Answered by the Auditor to Complete the Report

115.71 (a)

- When the agency conducts its own investigations into allegations of sexual abuse and sexual harassment, does it do so promptly, thoroughly, and objectively? [N/A if the agency/facility is not responsible for conducting any form of criminal OR administrative sexual abuse investigations. See 115.21(a).] Yes No NA
- Does the agency conduct such investigations for all allegations, including third party and anonymous reports? [N/A if the agency/facility is not responsible for conducting any form of criminal OR administrative sexual abuse investigations. See 115.21(a).] Yes No NA

115.71 (b)

- Where sexual abuse is alleged, does the agency use investigators who have received specialized training in sexual abuse investigations as required by 115.34? Yes No

115.71 (c)

- Do investigators gather and preserve direct and circumstantial evidence, including any available physical and DNA evidence and any available electronic monitoring data? Yes No

- Do investigators interview alleged victims, suspected perpetrators, and witnesses?
 Yes No
- Do investigators review prior reports and complaints of sexual abuse involving the suspected perpetrator? Yes No

115.71 (d)

- When the quality of evidence appears to support criminal prosecution, does the agency conduct compelled interviews only after consulting with prosecutors as to whether compelled interviews may be an obstacle for subsequent criminal prosecution? Yes No

115.71 (e)

- Do agency investigators assess the credibility of an alleged victim, suspect, or witness on an individual basis and not on the basis of that individual's status as inmate or staff? Yes No
- Does the agency investigate allegations of sexual abuse without requiring an inmate who alleges sexual abuse to submit to a polygraph examination or other truth-telling device as a condition for proceeding? Yes No

115.71 (f)

- Do administrative investigations include an effort to determine whether staff actions or failures to act contributed to the abuse? Yes No
- Are administrative investigations documented in written reports that include a description of the physical evidence and testimonial evidence, the reasoning behind credibility assessments, and investigative facts and findings? Yes No

115.71 (g)

- Are criminal investigations documented in a written report that contains a thorough description of the physical, testimonial, and documentary evidence and attaches copies of all documentary evidence where feasible? Yes No

115.71 (h)

- Are all substantiated allegations of conduct that appears to be criminal referred for prosecution?
 Yes No

115.71 (i)

- Does the agency retain all written reports referenced in 115.71(f) and (g) for as long as the alleged abuser is incarcerated or employed by the agency, plus five years? Yes No

115.71 (j)

- Does the agency ensure that the departure of an alleged abuser or victim from the employment or control of the agency does not provide a basis for terminating an investigation?
 Yes No

115.71 (k)

- Auditor is not required to audit this provision.

115.71 (l)

- When an outside entity investigates sexual abuse, does the facility cooperate with outside investigators and endeavor to remain informed about the progress of the investigation? (N/A if an outside agency does not conduct administrative or criminal sexual abuse investigations. See 115.21(a).) Yes No NA

Auditor Overall Compliance Determination

- Exceeds Standard** (*Substantially exceeds requirement of standards*)
- Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- Does Not Meet Standard** (*Requires Corrective Action*)

EVIDENCE OF COMPLIANCE:

Armstrong County Jail Policy and Procedure Policy# 3-19 Section Medical Subject: Prison Rape Elimination Act (PREA) became effective on July 11, 2013. The policy addresses Criminal and Administrative Investigations. The policy states the following:

C. Investigation

(1) Criminal and Administrative Investigations

- *The Armstrong County Jail will conduct their investigation in conjunction with the Pennsylvania State Police (Kittanning Barracks) into the allegations of sexual abuse and sexual harassment in a prompt, thorough manner and will always be objective when investigating allegations including those that are third-party or anonymous.*
- *When sexual abuse is alleged, the Pennsylvania State Police (Kittanning Barracks) will be immediately contacted by the PREA Coordinator or Administration in their absence.*
- *Investigators will gather and preserve direct and circumstantial evidence, including available physical and DNA evidence and any available recorded or electronic data. Alleged victims, suspected perpetrators, and witnesses shall be interviewed. All prior complaints and reports of sexual abuse involving the suspected perpetrator will be reviewed.*

- *The credibility of an alleged victim, suspect, or witness shall be assessed on an individual basis and shall not be determined by the person's status as inmate or staff. The Armstrong County Jail will not require an inmate who alleges sexual abuse to submit to a polygraph examination or other truth-telling device as a condition for proceeding with the investigation of such an allegation.*

(2) Administrative Investigations

- *The investigator shall include an effort to determine whether staff actions or failure to act contributed to the abuse.*
- *Document in written reports the description of the physical and testimonial evidence, the reasoning behind credibility assessments and the investigative facts and findings.*
- *Criminal investigations shall be documented in a written report that contains a thorough description of physical, testimonial, and documented evidence with copies attached of all documentary evidence where feasible.*
- *Substantial allegations of conduct that appears to be criminal shall be referred for prosecution.*
- *The Armstrong County jail will maintain all written reports for as long as the alleged abuser is incarcerated or employed plus five (5) years.*
- *Upon separation of employment with the Armstrong County Jail or release from incarceration from the Armstrong County Jail by the abuser or victim, this shall not provide a basis for terminating any investigation.*
- *When the Pennsylvania State Police investigate sexual abuse for the Armstrong County Jail, the Jail will fully cooperate and shall maintain a MOU (memorandum of understanding) with PSP/Armstrong Barracks to keep the Jail informed about the progress of the investigation.*
- *ACJ administrative investigations will be completed within 45 days.*

The Armstrong County Jail shall impose no standard higher than a preponderance of the evidence in determining whether allegations of sexual abuse or sexual harassment are substantiated.

(3) Investigation of Sexual Assaults Occurring More than 24 Hours Prior

If the alleged sexual assault is reported or discovered more than 24 hours after the incident, the following steps are taken by the Shift Supervisor:

- If feasible, secure the alleged crime scene, as forensic evidence may exist.*
- Place the alleged victim in an environment to assure safety and security.*
- Place the alleged offender suspect, if known, in segregation or if a staff member, ensure separation from the victim.*

The Armstrong County Jail conducts administrative investigations, and the Pennsylvania State Police investigate any criminal act within the facility.

I found the PREA investigators to be well versed in their duties as too the administrative investigation, and more importantly the understanding of when the investigation takes on a possible criminal element they immediately contact the State Police.

I reviewed all of the investigations and found that they were conducted immediately and by the proper authorities.

Standard 115.72: Evidentiary standard for administrative investigations

All Yes/No Questions Must Be Answered by the Auditor to Complete the Report

115.72 (a)

- Is it true that the agency does not impose a standard higher than a preponderance of the evidence in determining whether allegations of sexual abuse or sexual harassment are substantiated? Yes No

Auditor Overall Compliance Determination

- Exceeds Standard** (*Substantially exceeds requirement of standards*)
- Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- Does Not Meet Standard** (*Requires Corrective Action*)

EVIDENCE OF COMPLIANCE:

Armstrong County Jail Policy and Procedure Policy# 3-19 Section Medical Subject: Prison Rape Elimination Act (PREA) became effective on July 11, 2013. The policy addresses evidentiary standard for administrative investigations. The policy states the following:

The Armstrong County Jail shall impose no standard higher than a preponderance of the evidence in determining whether allegations of sexual abuse or sexual harassment are substantiated

I reviewed all of the investigations and found that the facility is not imposing a standard higher than preponderance of the evidence.

Standard 115.73: Reporting to inmates

All Yes/No Questions Must Be Answered by the Auditor to Complete the Report

115.73 (a)

- Following an investigation into an inmate's allegation that he or she suffered sexual abuse in an agency facility, does the agency inform the inmate as to whether the allegation has been determined to be substantiated, unsubstantiated, or unfounded? Yes No

115.73 (b)

- If the agency did not conduct the investigation into an inmate's allegation of sexual abuse in an agency facility, does the agency request the relevant information from the investigative agency in order to inform the inmate? (N/A if the agency/facility is responsible for conducting administrative and criminal investigations.) Yes No NA

115.73 (c)

- Following an inmate's allegation that a staff member has committed sexual abuse against the resident, unless the agency has determined that the allegation is unfounded, or unless the resident has been released from custody, does the agency subsequently inform the resident whenever: The staff member is no longer posted within the inmate's unit? Yes No
- Following an inmate's allegation that a staff member has committed sexual abuse against the resident, unless the agency has determined that the allegation is unfounded, or unless the resident has been released from custody, does the agency subsequently inform the resident whenever: The staff member is no longer employed at the facility? Yes No
- Following an inmate's allegation that a staff member has committed sexual abuse against the resident, unless the agency has determined that the allegation is unfounded, or unless the resident has been released from custody, does the agency subsequently inform the resident whenever: The agency learns that the staff member has been indicted on a charge related to sexual abuse in the facility? Yes No
- Following an inmate's allegation that a staff member has committed sexual abuse against the resident, unless the agency has determined that the allegation is unfounded, or unless the resident has been released from custody, does the agency subsequently inform the resident whenever: The agency learns that the staff member has been convicted on a charge related to sexual abuse within the facility? Yes No

115.73 (d)

- Following an inmate's allegation that he or she has been sexually abused by another inmate, does the agency subsequently inform the alleged victim whenever: The agency learns that the alleged abuser has been indicted on a charge related to sexual abuse within the facility? Yes No
- Following an inmate's allegation that he or she has been sexually abused by another inmate, does the agency subsequently inform the alleged victim whenever: The agency learns that the alleged abuser has been convicted on a charge related to sexual abuse within the facility? Yes No

115.73 (e)

- Does the agency document all such notifications or attempted notifications? Yes No

115.73 (f)

- Auditor is not required to audit this provision.

Auditor Overall Compliance Determination

- Exceeds Standard** (*Substantially exceeds requirement of standards*)
- Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- Does Not Meet Standard** (*Requires Corrective Action*)

EVIDENCE OF COMPLIANCE:

Armstrong County Jail Policy and Procedure Policy# 3-19 Section Medical Subject: Prison Rape Elimination Act (PREA) became effective on July 11, 2013. The policy addresses reporting to inmates. The policy states the following:

Reporting to Inmates

The Armstrong County Jail will, after an investigation is complete, notify the inmate as to whether:

- *The allegation has been determined to be substantiated, unsubstantiated or unfounded*
- *If the Armstrong County Jail did not conduct the investigation, they will request the PSP/Armstrong Barracks to advise the inmate.*

The PREA Coordinator understands his obligation on reporting to inmates after an investigation has been conducted.

I reviewed the investigations conducted and found that the inmates had been notified in writing the outcome of the investigation.

DISCIPLINE

Standard 115.76: Disciplinary sanctions for staff

All Yes/No Questions Must Be Answered by the Auditor to Complete the Report

115.76 (a)

- Are staff subject to disciplinary sanctions up to and including termination for violating agency sexual abuse or sexual harassment policies? Yes No

115.76 (b)

- Is termination the presumptive disciplinary sanction for staff who have engaged in sexual abuse? Yes No

115.76 (c)

- Are disciplinary sanctions for violations of agency policies relating to sexual abuse or sexual harassment (other than actually engaging in sexual abuse) commensurate with the nature and circumstances of the acts committed, the staff member's disciplinary history, and the sanctions imposed for comparable offenses by other staff with similar histories? Yes No

115.76 (d)

- Are all terminations for violations of agency sexual abuse or sexual harassment policies, or resignations by staff who would have been terminated if not for their resignation, reported to: Law enforcement agencies (unless the activity was clearly not criminal)? Yes No
- Are all terminations for violations of agency sexual abuse or sexual harassment policies, or resignations by staff who would have been terminated if not for their resignation, reported to: Relevant licensing bodies? Yes No

Auditor Overall Compliance Determination

- Exceeds Standard** (*Substantially exceeds requirement of standards*)
- Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- Does Not Meet Standard** (*Requires Corrective Action*)

EVIDENCE OF COMPLIANCE:

Armstrong County Jail Policy and Procedure Policy# 3-19 Section Medical Subject: Prison Rape Elimination Act (PREA) became effective on July 11, 2013. The policy addresses disciplinary sanctions for staff. The policy states the following:

Staff shall be subject to disciplinary sanctions up to and including termination for violating any policy relating to sexual abuse or sexual harassment.

The facility has not had any incidents where staff were disciplined.

Standard 115.77: Corrective action for contractors and volunteers

All Yes/No Questions Must Be Answered by the Auditor to Complete the Report

115.77 (a)

- Is any contractor or volunteer who engages in sexual abuse prohibited from contact with inmates? Yes No
- Is any contractor or volunteer who engages in sexual abuse reported to: Law enforcement agencies (unless the activity was clearly not criminal)? Yes No
- Is any contractor or volunteer who engages in sexual abuse reported to: Relevant licensing bodies? Yes No

115.77 (b)

- In the case of any other violation of agency sexual abuse or sexual harassment policies by a contractor or volunteer, does the facility take appropriate remedial measures, and consider whether to prohibit further contact with inmates? Yes No

Auditor Overall Compliance Determination

- Exceeds Standard** (*Substantially exceeds requirement of standards*)
- Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- Does Not Meet Standard** (*Requires Corrective Action*)

EVIDENCE OF COMPLIANCE:

Armstrong County Jail Policy and Procedure Policy# 3-19 Section Medical Subject: Prison Rape Elimination Act (PREA) became effective on July 11, 2013. The policy addresses corrective action for contractors and volunteers. The policy states the following:

Any contractor or volunteer who engages in sexual abuse shall be prohibited from contact with inmates and shall be reported to law enforcement, unless the activity was clearly not criminal.

No incidents occurred which involved contractors or volunteers.

Standard 115.78: Disciplinary sanctions for inmates

All Yes/No Questions Must Be Answered by the Auditor to Complete the Report

115.78 (a)

- Following an administrative finding that an inmate engaged in inmate-on-inmate sexual abuse, or following a criminal finding of guilt for inmate-on-inmate sexual abuse, are inmates subject to disciplinary sanctions pursuant to a formal disciplinary process? Yes No

115.78 (b)

- Are sanctions commensurate with the nature and circumstances of the abuse committed, the inmate's disciplinary history, and the sanctions imposed for comparable offenses by other inmates with similar histories? Yes No

115.78 (c)

- When determining what types of sanction, if any, should be imposed, does the disciplinary process consider whether an inmate's mental disabilities or mental illness contributed to his or her behavior? Yes No

115.78 (d)

- If the facility offers therapy, counseling, or other interventions designed to address and correct underlying reasons or motivations for the abuse, does the facility consider whether to require the offending inmate to participate in such interventions as a condition of access to programming and other benefits? Yes No

115.78 (e)

- Does the agency discipline an inmate for sexual contact with staff only upon a finding that the staff member did not consent to such contact? Yes No

115.78 (f)

- For the purpose of disciplinary action does a report of sexual abuse made in good faith based upon a reasonable belief that the alleged conduct occurred NOT constitute falsely reporting an incident or lying, even if an investigation does not establish evidence sufficient to substantiate the allegation? Yes No

115.78 (g)

- Does the agency always refrain from considering non-coercive sexual activity between inmates to be sexual abuse? (N/A if the agency does not prohibit all sexual activity between inmates.)
 Yes No NA

Auditor Overall Compliance Determination

- Exceeds Standard** (*Substantially exceeds requirement of standards*)
- Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- Does Not Meet Standard** (*Requires Corrective Action*)

EVIDENCE OF COMPLIANCE:

Armstrong County Jail Policy and Procedure Policy# 3-19 Section Medical Subject: Prison Rape Elimination Act (PREA) became effective on July 11, 2013. The policy addresses disciplinary sanctions for inmates. The policy states the following:

Inmates shall be subject to disciplinary sanctions following an administrative finding that the inmate engaged in inmate-on-inmate sexual abuse or following a criminal finding of guilt for inmate-on-inmate sexual abuse. The disciplinary process shall consider whether an inmate's mental disabilities or mental illness contributed to his or her behavior when determining what type of sanction, if any, should be imposed. An inmate will be disciplined for sexual contact with staff only upon a finding that the staff member did not consent to such contact. A report of sexual abuse made in good faith based upon a reasonable belief that the alleged conduct occurred shall not constitute falsely reporting an incident or lying, even if an investigation does not establish evidence sufficient to substantiate the allegation.

The facility has not had any incidents where inmates were disciplined.

MEDICAL AND MENTAL CARE

Standard 115.81: Medical and mental health screenings; history of sexual abuse

All Yes/No Questions Must Be Answered by the Auditor to Complete the Report

115.81 (a)

- If the screening pursuant to § 115.41 indicates that a prison inmate has experienced prior sexual victimization, whether it occurred in an institutional setting or in the community, do staff ensure that the inmate is offered a follow-up meeting with a medical or mental health practitioner within 14 days of the intake screening? Yes No

115.81 (b)

- If the screening pursuant to § 115.41 indicates that a prison inmate has previously perpetrated sexual abuse, whether it occurred in an institutional setting or in the community, do staff ensure that the inmate is offered a follow-up meeting with a mental health practitioner within 14 days of the intake screening? (N/A if the facility is not a prison.) Yes No NA

115.81 (c)

- If the screening pursuant to § 115.41 indicates that a jail inmate has experienced prior sexual victimization, whether it occurred in an institutional setting or in the community, do staff ensure that the inmate is offered a follow-up meeting with a medical or mental health practitioner within 14 days of the intake screening? Yes No

115.81 (d)

- Is any information related to sexual victimization or abusiveness that occurred in an institutional setting strictly limited to medical and mental health practitioners and other staff as necessary to inform treatment plans and security management decisions, including housing, bed, work, education, and program assignments, or as otherwise required by Federal, State, or local law?
 Yes No

115.81 (e)

- Do medical and mental health practitioners obtain informed consent from inmates before reporting information about prior sexual victimization that did not occur in an institutional setting, unless the inmate is under the age of 18? Yes No

Auditor Overall Compliance Determination

- Exceeds Standard** (*Substantially exceeds requirement of standards*)
- Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- Does Not Meet Standard** (*Requires Corrective Action*)

EVIDENCE OF COMPLIANCE:

As previously stated the facility conducts an in depth screening with the inmates within 72 hrs. This screening is conducted by counselors any issues are identified.

During the staff interviews I confirmed this process is taking place.

I was also able to confirm this during the inmate interviews.

Standard 115.82: Access to emergency medical and mental health services

All Yes/No Questions Must Be Answered by the Auditor to Complete the Report

115.82 (a)

- Do inmate victims of sexual abuse receive timely, unimpeded access to emergency medical treatment and crisis intervention services, the nature and scope of which are determined by medical and mental health practitioners according to their professional judgment?
 Yes No

115.82 (b)

- If no qualified medical or mental health practitioners are on duty at the time a report of recent sexual abuse is made, do security staff first responders take preliminary steps to protect the victim pursuant to § 115.62? Yes No
- Do security staff first responders immediately notify the appropriate medical and mental health practitioners? Yes No

115.82 (c)

- Are inmate victims of sexual abuse offered timely information about and timely access to emergency contraception and sexually transmitted infections prophylaxis, in accordance with professionally accepted standards of care, where medically appropriate? Yes No

115.82 (d)

- Are treatment services provided to the victim without financial cost and regardless of whether the victim names the abuser or cooperates with any investigation arising out of the incident? Yes No

Auditor Overall Compliance Determination

- Exceeds Standard** (*Substantially exceeds requirement of standards*)
- Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- Does Not Meet Standard** (*Requires Corrective Action*)

EVIDENCE OF COMPLIANCE:

Armstrong County Jail Policy and Procedure Policy# 3-19 Section Medical Subject: Prison Rape Elimination Act (PREA) became effective on July 11, 2013. The policy addresses access to emergency medical and mental health services. The policy states the following:

D. Victim Services Provided

Victim services, including but not limited to, medical treatment, mental health/crisis intervention, and counseling will be provided at no cost to the victim. However, should the allegation be found to be unsubstantiated or unfounded, the alleged victim may be responsible for restitution for services provided.

1. The Warden, or designee, will develop procedures for providing victim services to offenders who allege that they are victims of sexual acts or contact or staff sexual misconduct or harassment, services will include, at minimum:

- a. medical examination, documentation, and treatment of injuries;*
- b. mental health crisis intervention and treatment; and*
- c. social, family, and peer support.*

2. Staff will adhere to the following standards for examination of victims of sexual acts or staff sexual misconduct:
- a. if the victim refuses medical or mental health attention, staff will document the refusal on the Medical Treatment Refusal form;
 - b. if reported within 24 hours of the incident, staff will, with the victim's permission, immediately transport the victim to a medical facility equipped to evaluate and treat sexual assault/rape victims; and
 - c. if reported more than 24 hours after the incident, staff will, with the victim's permission, adhere to the following:
 - 1) refer victims to in house health care providers responsible for treatment and follow up care for sexually transmitted or other communicable diseases, completing a patient history, and conducting an examination to document the extent of physical injury and determine whether referral to another medical facility is required; and
 - 2) upon request from law enforcement, transport the victim to a community medical facility for evidence collection.
 - 3) Mental health staff or established outside providers will provide services, e.g., crisis intervention and trauma-specific treatment, for offenders victimized by sexual acts or contact or staff sexual misconduct or harassment and for offenders affected other than the victimized offender.

The facility has the policies in place for emergency medical and mental health services. These services are offered to any inmate who reports sexual abuse or sexual harassment. I confirmed that these services are offered with both the PREA Coordinator and medical supervisor.

When reviewing the investigations I found that all of the alleged victims were offered these services, although none of them accepted.

Standard 115.83: Ongoing medical and mental health care for sexual abuse victims and abusers

All Yes/No Questions Must Be Answered by the Auditor to Complete the Report

115.83 (a)

- Does the facility offer medical and mental health evaluation and, as appropriate, treatment to all inmates who have been victimized by sexual abuse in any prison, jail, lockup, or juvenile facility? Yes No

115.83 (b)

- Does the evaluation and treatment of such victims include, as appropriate, follow-up services, treatment plans, and, when necessary, referrals for continued care following their transfer to, or placement in, other facilities, or their release from custody? Yes No

115.83 (c)

- Does the facility provide such victims with medical and mental health services consistent with the community level of care? Yes No

115.83 (d)

- Are inmate victims of sexually abusive vaginal penetration while incarcerated offered pregnancy tests? (N/A if all-male facility.) Yes No NA

115.83 (e)

- If pregnancy results from the conduct described in paragraph § 115.83(d), do such victims receive timely and comprehensive information about and timely access to all lawful pregnancy-related medical services? (N/A if all-male facility.) Yes No NA

115.83 (f)

- Are inmate victims of sexual abuse while incarcerated offered tests for sexually transmitted infections as medically appropriate? Yes No

115.83 (g)

- Are treatment services provided to the victim without financial cost and regardless of whether the victim names the abuser or cooperates with any investigation arising out of the incident? Yes No

115.83 (h)

- If the facility is a prison, does it attempt to conduct a mental health evaluation of all known inmate-on-inmate abusers within 60 days of learning of such abuse history and offer treatment when deemed appropriate by mental health practitioners? (NA if the facility is a jail.) Yes No NA

Auditor Overall Compliance Determination

- Exceeds Standard** (*Substantially exceeds requirement of standards*)
- Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- Does Not Meet Standard** (*Requires Corrective Action*)

The facility has the policies and procedures in place for ongoing medical and mental health care. The PREA Coordinator informed me that the services would be coordinated by facility medical personnel. I further confirmed this with the medical staff.

I reviewed the investigations conducted, these services were offered to all involved in an allegation, although these services were not utilized.

DATA COLLECTION AND REVIEW

Standard 115.86: Sexual abuse incident reviews

All Yes/No Questions Must Be Answered by the Auditor to Complete the Report

115.86 (a)

- Does the facility conduct a sexual abuse incident review at the conclusion of every sexual abuse investigation, including where the allegation has not been substantiated, unless the allegation has been determined to be unfounded? Yes No

115.86 (b)

- Does such review ordinarily occur within 30 days of the conclusion of the investigation? Yes No

115.86 (c)

- Does the review team include upper-level management officials, with input from line supervisors, investigators, and medical or mental health practitioners? Yes No

115.86 (d)

- Does the review team: Consider whether the allegation or investigation indicates a need to change policy or practice to better prevent, detect, or respond to sexual abuse? Yes No
- Does the review team: Consider whether the incident or allegation was motivated by race; ethnicity; gender identity; lesbian, gay, bisexual, transgender, or intersex identification, status, or perceived status; gang affiliation; or other group dynamics at the facility? Yes No
- Does the review team: Examine the area in the facility where the incident allegedly occurred to assess whether physical barriers in the area may enable abuse? Yes No
- Does the review team: Assess the adequacy of staffing levels in that area during different shifts? Yes No
- Does the review team: Assess whether monitoring technology should be deployed or augmented to supplement supervision by staff? Yes No
- Does the review team: Prepare a report of its findings, including but not necessarily limited to determinations made pursuant to §§ 115.86(d)(1) - (d)(5), and any recommendations for improvement and submit such report to the facility head and PREA compliance manager? Yes No

115.86 (e)

- Does the facility implement the recommendations for improvement, or document its reasons for not doing so? Yes No

Auditor Overall Compliance Determination

- Exceeds Standard** (*Substantially exceeds requirement of standards*)
- Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- Does Not Meet Standard** (*Requires Corrective Action*)

EVIDENCE OF COMPLIANCE:

Armstrong County Jail Policy and Procedure Policy# 3-19 Section Medical Subject: Prison Rape Elimination Act (PREA) became effective on July 11, 2013. The policy addresses sexual abuse incident reviews. The policy states the following:

XI. INCIDENT REVIEW DATA COLLECTION AND COMPILATION

Within 30 days of the conclusion of an investigation a sexual abuse incident review will be conducted. This review will be conducted on all investigations, unless the allegation has been determined to be unfounded. The review team will include at a minimum the Warden, Deputy Warden and the PREA Coordinator. The review shall:

- (1) Consider whether the allegation or investigation indicates a need to change policy or practice to better prevent, detect, or respond to sexual abuse;*
- (2) Consider whether the incident or allegation was motivated by race; ethnicity; gender identity; lesbian, gay, bisexual, transgender, or intersex identification, status, or perceived status; or gang affiliation; or was motivated or otherwise caused by other group dynamics at the facility;*
- (3) Examine the area in the facility where the incident allegedly occurred to assess whether physical barriers in the area may enable abuse;*
- (4) Assess the adequacy of staffing levels in that area during different shifts;*
- (5) Assess whether monitoring technology should be deployed or augmented to supplement supervision by staff; and*
- (6) Prepare a report of its findings and any recommendations for improvement and submit such report to the facility head and PREA compliance manager.*

The recommendations from the incident review shall be implemented.

During the interview with the PREA Coordinator he informed me that the incidents are reviewed. I found that the administration meet regularly to discuss any issues with in the facility and take appropriate action.

The facility has initiated a procedure to document the incident reviews, which were available to me for review.

Standard 115.87: Data collection

All Yes/No Questions Must Be Answered by the Auditor to Complete the Report

115.87 (a)

- Does the agency collect accurate, uniform data for every allegation of sexual abuse at facilities under its direct control using a standardized instrument and set of definitions? Yes No

115.87 (b)

- Does the agency aggregate the incident-based sexual abuse data at least annually? Yes No

115.87 (c)

- Does the incident-based data include, at a minimum, the data necessary to answer all questions from the most recent version of the Survey of Sexual Violence conducted by the Department of Justice? Yes No

115.87 (d)

- Does the agency maintain, review, and collect data as needed from all available incident-based documents, including reports, investigation files, and sexual abuse incident reviews? Yes No

115.87 (e)

- Does the agency also obtain incident-based and aggregated data from every private facility with which it contracts for the confinement of its inmates? (N/A if agency does not contract for the confinement of its inmates.) Yes No NA

115.87 (f)

- Does the agency, upon request, provide all such data from the previous calendar year to the Department of Justice no later than June 30? (N/A if DOJ has not requested agency data.) Yes No NA

Auditor Overall Compliance Determination

- Exceeds Standard** (*Substantially exceeds requirement of standards*)
- Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- Does Not Meet Standard** (*Requires Corrective Action*)

EVIDENCE OF COMPLIANCE:

Armstrong County Jail Policy and Procedure Policy# 3-19 Section Medical Subject: Prison Rape Elimination Act (PREA) became effective on July 11, 2013. The policy addresses data collection. The policy states the following:

DATA COLLECTION AND COMPILATION

Armstrong County Jail shall collect information related to the purposes outlined at the beginning of this policy; specifically to gather data that will help Armstrong County Prison reduce the risk that sexual assault and/or sexual activity would occur within the facility.

This data will be compiled into monthly and annual reports for the purposes of:

- 1. Establish a baseline of data documenting the prevalence of incidents involving sexual assault and sexual activity, as gleaned from all available sources; including misconduct reports, Extraordinary Occurrence Reports, and reports to the Rape Crisis Hotline;*
- 2. Provide information to DOC Director of Prison Inspections Office concerning where efforts are needed for the improvement of institutional operations related to the reduction of sexual assault and sexual activity;*
- 3. Document that there is accountability for those who perpetrate sexual assault or sexual activity by tracking:
 - a. The adjudication of misconduct reports related to sexual assault and sexual activity, including the disposition of each case;*
 - b. The status of investigations conducted concerning suspected incidents of sexual assault and/or sexual activity; and*
 - c. Referrals of sexual assault or sexual activity cases for prosecution, including the status and outcome of such efforts within the judicial system.**
- 4. Document that victims of sexual assault receive appropriate follow-up care as outlined in this policy, Victim Services, including data related to each of the steps listed in that section;*
- 5. Compile information, collected directly from the inmate population by means of various survey methods, which relates to the prevalence of sexual assault and/or sexual activity within the institutions, including the circumstances that contribute to this kind of behavior, in order to provide insight into potential strategies for its reduction or elimination.*

The PREA Coordinator related that the data is collected from all of the PREA related investigations. The data is placed into a report for review.

Standard 115.88: Data review for corrective action

All Yes/No Questions Must Be Answered by the Auditor to Complete the Report

115.88 (a)

- Does the agency review data collected and aggregated pursuant to § 115.87 in order to assess and improve the effectiveness of its sexual abuse prevention, detection, and response policies, practices, and training, including by: Identifying problem areas? Yes No
- Does the agency review data collected and aggregated pursuant to § 115.87 in order to assess and improve the effectiveness of its sexual abuse prevention, detection, and response policies, practices, and training, including by: Taking corrective action on an ongoing basis? Yes No
- Does the agency review data collected and aggregated pursuant to § 115.87 in order to assess and improve the effectiveness of its sexual abuse prevention, detection, and response policies, practices, and training, including by: Preparing an annual report of its findings and corrective actions for each facility, as well as the agency as a whole? Yes No

115.88 (b)

- Does the agency's annual report include a comparison of the current year's data and corrective actions with those from prior years and provide an assessment of the agency's progress in addressing sexual abuse? Yes No

115.88 (c)

- Is the agency's annual report approved by the agency head and made readily available to the public through its website or, if it does not have one, through other means? Yes No

115.88 (d)

- Does the agency indicate the nature of the material redacted where it redacts specific material from the reports when publication would present a clear and specific threat to the safety and security of a facility? Yes No

Auditor Overall Compliance Determination

- Exceeds Standard** (*Substantially exceeds requirement of standards*)
- Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)

Does Not Meet Standard (Requires Corrective Action)

EVIDENCE OF COMPLIANCE:

Armstrong County Jail Policy and Procedure Policy# 3-19 Section Medical Subject: Prison Rape Elimination Act (PREA) became effective on July 11, 2013. The policy addresses data collection. The policy states the following:

DATA COLLECTION AND COMPILATION

Armstrong County Jail shall collect information related to the purposes outlined at the beginning of this policy; specifically to gather data that will help Armstrong County Prison reduce the risk that sexual assault and/or sexual activity would occur within the facility.

This data will be compiled into monthly and annual reports for the purposes of:

- 1. Establish a baseline of data documenting the prevalence of incidents involving sexual assault and sexual activity, as gleaned from all available sources; including misconduct reports, Extraordinary Occurrence Reports, and reports to the Rape Crisis Hotline;*
- 2. Provide information to DOC Director of Prison Inspections Office concerning where efforts are needed for the improvement of institutional operations related to the reduction of sexual assault and sexual activity;*
- 3. Document that there is accountability for those who perpetrate sexual assault or sexual activity by tracking:
 - a. The adjudication of misconduct reports related to sexual assault and sexual activity, including the disposition of each case;*
 - b. The status of investigations conducted concerning suspected incidents of sexual assault and/or sexual activity; and*
 - c. Referrals of sexual assault or sexual activity cases for prosecution, including the status and outcome of such efforts within the judicial system.**
- 4. Document that victims of sexual assault receive appropriate follow-up care as outlined in this policy, Victim Services, including data related to each of the steps listed in that section;*
- 5. Compile information, collected directly from the inmate population by means of various survey methods, which relates to the prevalence of sexual assault and/or sexual activity within the institutions, including the circumstances that contribute to this kind of behavior, in order to provide insight into potential strategies for its reduction or elimination.*

The data being collected is reviewed by the administration at the facility. I was informed by both the Warden and PREA Coordinator that if a trend was noticed, they would put into place an immediate corrective action plan.

While reviewing the investigations I did not identify any trends or issues that would call for immediate action. The agency may redact specific material from the reports when publication would present a clear and specific threat to the safety and security of a facility, but must indicate the nature of the material redacted.

I reviewed the 2016 report and found no trends in the facility. All personal identifiers have been removed.

Standard 115.89: Data storage, publication, and destruction

All Yes/No Questions Must Be Answered by the Auditor to Complete the Report

115.89 (a)

- Does the agency ensure that data collected pursuant to § 115.87 are securely retained?
 Yes No

115.89 (b)

- Does the agency make all aggregated sexual abuse data, from facilities under its direct control and private facilities with which it contracts, readily available to the public at least annually through its website or, if it does not have one, through other means? Yes No

115.89 (c)

- Does the agency remove all personal identifiers before making aggregated sexual abuse data publicly available? Yes No

115.89 (d)

- Does the agency maintain sexual abuse data collected pursuant to § 115.87 for at least 10 years after the date of the initial collection, unless Federal, State, or local law requires otherwise? Yes No

Auditor Overall Compliance Determination

- Exceeds Standard** (*Substantially exceeds requirement of standards*)
- Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- Does Not Meet Standard** (*Requires Corrective Action*)

EVIDENCE OF COMPLIANCE:

Armstrong County Jail Policy and Procedure Policy# 3-19 Section Medical Subject: Prison Rape Elimination Act (PREA) became effective on July 11, 2013. The policy addresses data collection. The policy states the following:

DATA COLLECTION AND COMPILATION

Armstrong County Jail shall collect information related to the purposes outlined at the beginning of this policy; specifically to gather data that will help Armstrong County Prison reduce the risk that sexual assault and/or sexual activity would occur within the facility.

This data will be compiled into monthly and annual reports for the purposes of:

1. *Establish a baseline of data documenting the prevalence of incidents involving sexual assault and sexual activity, as gleaned from all available sources; including misconduct reports, Extraordinary Occurrence Reports, and reports to the Rape Crisis Hotline;*
2. *Provide information to DOC Director of Prison Inspections Office concerning where efforts are needed for the improvement of institutional operations related to the reduction of sexual assault and sexual activity;*
3. *Document that there is accountability for those who perpetrate sexual assault or sexual activity by tracking:*
 - a. *The adjudication of misconduct reports related to sexual assault and sexual activity, including the disposition of each case;*
 - b. *The status of investigations conducted concerning suspected incidents of sexual assault and/or sexual activity; and*
 - c. *Referrals of sexual assault or sexual activity cases for prosecution, including the status and outcome of such efforts within the judicial system.*
4. *Document that victims of sexual assault receive appropriate follow-up care as outlined in this policy, Victim Services, including data related to each of the steps listed in that section;*
5. *Compile information, collected directly from the inmate population by means of various survey methods, which relates to the prevalence of sexual assault and/or sexual activity within the institutions, including the circumstances that contribute to this kind of behavior, in order to provide insight into potential strategies for its reduction or elimination.*

All of the information from the investigations is secured in the office of the PREA Coordinator.

During his interview he understood his obligations under this standard.

AUDITING AND CORRECTIVE ACTION

Standard 115.401: Frequency and scope of audits

All Yes/No Questions Must Be Answered by the Auditor to Complete the Report

115.401 (a)

- During the three-year period starting on August 20, 2013, and during each three-year period thereafter, did the agency ensure that each facility operated by the agency, or by a private organization on behalf of the agency, was audited at least once? (N/A before August 20, 2016.)
 Yes No NA

115.401 (b)

- During each one-year period starting on August 20, 2013, did the agency ensure that at least one-third of each facility type operated by the agency, or by a private organization on behalf of the agency, was audited? Yes No

115.401 (h)

- Did the auditor have access to, and the ability to observe, all areas of the audited facility? Yes No

115.401 (i)

- Was the auditor permitted to request and receive copies of any relevant documents (including electronically stored information)? Yes No

115.401 (m)

- Was the auditor permitted to conduct private interviews with inmates, residents, and detainees? Yes No

115.401 (n)

- Were inmates permitted to send confidential information or correspondence to the auditor in the same manner as if they were communicating with legal counsel? Yes No

Auditor Overall Compliance Determination

- Exceeds Standard** (*Substantially exceeds requirement of standards*)
- Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- Does Not Meet Standard** (*Requires Corrective Action*)

EVIDENCE OF COMPLIANCE:

The audit conducted was the second PREA Audit at the facility. They were audited during the first audit cycle.

During the onsite audit I had access to all portions of the facility. All interviews were conducted in private, and everyone had the ability to send me confidential correspondence, I did not receive any.

During the audit I had access to all documentation, including anything electronically stored documents.

Standard 115.403: Audit contents and findings

All Yes/No Questions Must Be Answered by the Auditor to Complete the Report

115.403 (f)

- The agency has published on its agency website, if it has one, or has otherwise made publicly available, all Final Audit Reports within 90 days of issuance by auditor. The review period is for prior audits completed during the past three years PRECEDING THIS AGENCY AUDIT. In the case of single facility agencies, the auditor shall ensure that the facility's last audit report was published. The pendency of any agency appeal pursuant to 28 C.F.R. § 115.405 does not excuse noncompliance with this provision. (N/A if there have been no Final Audit Reports issued in the past three years, or in the case of single facility agencies that there has never been a Final Audit Report issued.) Yes No NA

Auditor Overall Compliance Determination

- Exceeds Standard** (*Substantially exceeds requirement of standards*)
- Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- Does Not Meet Standard** (*Requires Corrective Action*)

The prior audit report was made available through the website within 90 days of issuance.

AUDITOR CERTIFICATION

I certify that:

- The contents of this report are accurate to the best of my knowledge.
- No conflict of interest exists with respect to my ability to conduct an audit of the agency under review, and
- I have not included in the final report any personally identifiable information (PII) about any inmate or staff member, except where the names of administrative personnel are specifically requested in the report template.

Auditor Instructions:

Type your full name in the text box below for Auditor Signature. This will function as your official electronic signature. Auditors must deliver their final report to the PREA Resource Center as a searchable PDF format to ensure accessibility to people with disabilities. Save this report document into a PDF format prior to submission.¹ Auditors are not permitted to submit audit reports that have been scanned.² See the PREA Auditor Handbook for a full discussion of audit report formatting requirements.

11/06/17

Auditor Signature

Date
